

Numb^r. 27.

THE *AD.*

PROCEEDINGS

OF THE

House of Lords,

CONCERNING

The Scottish Conspiracy,

AND THE

PAPERS

Laid before that

HOUSE,

BY

Her Majesties Command,

Relating thereunto.

L O N D O N,

Printed by *Charles Bill*, and the Executrix of *Thomas Newcomb*, deceas'd; Printers to the Queens most Excellent Majesty. 1704.

Die Mercurii, 29 Martii, 1704.

I*T is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Report made by the Lords Committees, Appointed to consider of the Scottish Conspiracy, the 20th of March Instant, and the Papers laid before this House, by Her Majesties Command, concerning the same, and the Proceedings and Resolutions of this House thereupon, shall be forthwith Printed and Published.*

Math. Johnson,
Cler^r Parliamentor^r



The Proceedings of the House of Lords, concerning the Scottish Conspiracy, and the Papers laid before that House, by Her Majesties Command, Relating thereunto.

Die Mercurii, 15 Decembris, 1703.

IT is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That Sir *John Macleane* be brought to this House to Morrow at Twelve a Clock, and that no Person be suffered to speak with him in the mean time.

Die Jovis, 16 Decembris, 1703.

The House being Informed, That Sir *John Macleane*, now in Custody of the Messenger, Attended,

The Lord Steward (by Her Majesties Command) Acquainted the House, That the Examination relating to Sir *John Macleane*, who is Ordered to be brought before the House this Day, is a Matter of that Nicety and great Importance, that Her Majesty thinks it will be inconvenient to take it out of the Method of Examination it is now in, and Her Majesty will in a short time Communicate it to the House.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the Lords with White Staves do Attend Her Majesty, humbly to desire Her Majesty from this House, That Sir *John Macleane* may be Committed to such safe Custody, as no Person be permitted to speak to him without Her Majesties Leave, and that he do neither Write or Receive any Letters or Papers from any Person without like Permission from Her Majesty.

Ordered, That the Messenger who brought Sir *John Macleane* to this House, do carry him back to the same Place from whence he brought him; And agreed, That the Lord *Romney* do Appoint a File of Mufqueteers to Attend Sir *John Macleane*, until Her Majesties Pleasure be farther signified.

Die Veneris, 17 Decembris, 1703.

The Lord-Chamberlain Reported Her Majesties Answer to the Address, in Relation to Sir *John Macleane*, viz.

That Her Majesty has given Order for the making Sir *John Macleane* close Prisoner, and that he shall not have Pen, Ink or Paper, nor any Person suffered to speak with him, without leave from Her Majesty.

Her Majesty being Seated on Her Royal Throne, Adorned with Her Crown and Regal Ornaments, Attended with Her Officers of State (the Peers being also in their Robes) commanded the Gentleman-Usher of the Black-Rod to let the Commons know, It is Her Majesties Pleasure, That they Attend Her immediately in the House of Peers, who being come with their Speaker, Her Majesty was pleased to speak, as followeth.

My Lords and Gentlemen,

I think it proper upon this Occasion to Acquaint you, That I have had unquestionable Informations of very ill Practices and Designs carried on in Scotland, by Emissaries from France, which might have proved extremely Dangerous to the Peace of these Kingdoms, as you will see by the Particulars which shall be laid before you, as soon as the several Examinations relating to this Matter, can be fully perfected and made publick without Prejudice; In the mean time I make no doubt, but by this seasonable Discovery I shall be able to give such Directions for Our Security, as will effectually prevent any Ill Consequences from these pernicious Designs.

Gentlemen of the House of Commons,

I am very Sensible of your great Readiness and Affection for the Publick Service, by presenting me so early in the Sessions, with a considerable Part of your Supplies, I depend intirely upon your Continuing with the same Zeal to Dispatch the Remainder of them, that so We may be prepared to give the speediest Assistance to Our Allies, and to defeat the malicious Designs of Our Enemies; who cannot be more Industrious to Contrive the Ruin of this Kingdom, and of the Protestant Religion, than I shall always be Vigilant and Careful both for their present Preservation, and for their future Security.

Die Sabbati, 18 Decembris, 1703.

Lords Committees Appointed to draw an Address to be presented to Her Majesty, to give Her Majesty the humble Thanks of this House, for Her most Gracious Speech, and the Matters therein contained, and to report to the House.

Die Lune, 20 Decembris, 1703.

The Earl of *Kingston* Reported from the Lords Committees an Humble Address to be presented to Her Majesty from this House, giving Her Majesty Humble Thanks for Her most Gracious Speech, and the Matters therein contained, which was read, as followeth:

WE Your Majesties most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament Assembled, Return our most humble Acknowledgments to Your Majesty for Your Gracious Condescension, in Promising to Communicate to us, those Informations You have received of the ill Practices of Your Majesties, and our Enemies, in Scotland: And we doubt not but the Zeal this House has shew'd for having the Persons secured, and their Designs brought to light, has been very Acceptable to Your Majesty. We rely upon Your Majesty, That You will give such Directions as may effectually Prevent all Pernicious Designs; and we trust in God Almighty's Goodness, That that watchful Providence which has discovered the wicked Plot so seasonably, will likewise prosper all Your Majesties Councils and good Intentions.

We reckon all our Concerns, but chiefly the greatest of all, the Protestant Religion, to be very safe under Your Majesties tender Care and wise Administration: And we will, by our utmost Zeal, maintain the Rights of the Crown, and the Church of England, in all such Ways as may best answer Your Majesties Pious Designs, and may most promote the Good and Happiness of all Your Subjects: We desire not to let our Thoughts go beyond Your Majesties Person, to a future Security, but as 'tis necessary for Your Majesties Preservation, as well as for Settling the Minds of all Your good Subjects, who look on the Protestant Succession as Your Majesties best Security, as well as their own.

To which the House Agreed.

Ordered, That the whole House shall attend Her Majesty with the Address Agreed to this day.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Earl of Kingston, and the Lord Viscount Longueville, do attend Her Majesty from this House, Humbly to know what time Her Majesty will Please to Appoint for this House to attend Her Majesty with their Address Agreed to this Day.

The Earl of Kingston Reported, That he and the Lord Viscount Longueville had attended Her Majesty, as Order'd, and that Her Majesty is Pleas'd to appoint this Evening, between Six and Seven a Clock, for this House to attend Her Majesty with their Address.

Die Martis, 21 Decembris, 1703.

The Lord Keeper Reported, That the House attended Her Majesty with their Address, to which Her Majesty was Graciously Pleas'd to give the following Answer, viz.

My Lords,

I Am very glad to find that the Communication I made to this Parliament, has been so acceptable to you.

I make no Doubt of the Zeal of the House of Lords, nor shall My Own ever be wanting, to Secure My People from Dangers, to Promote their Good and Happiness, to Establish the Church of England, and the Protestant Succession to all Posterity.

Die Sabbathi, 29 Januarii, 1703.

The Earl of Nottingham Acquainted this House, "That the Queen Commanded him to lay before your Lordships these Papers, which contain all the Matters hitherto Discovered of the Conspiracy in Scotland, but there is one thing, which I am also Commanded to let your Lordships know, is not yet proper to be Communicated to the House; because the making it Publick, may prevent a farther Discovery of Matters of greater Importance than what these Papers contain; but that Your Lordships shall be Acquainted with this also, so soon as it can be done without Prejudice to the Publick Service.

Which Papers being delivered, were, according to Order, Sealed up at the Table with the Lord Keepers Seal.

Then the House Agreed, That the Address following should be made to Her Majesty for the rest of the Papers relating to the Scottish Conspiracy, which is as follows, viz.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That an Humble Address be made to Her Majesty from this House, to Acquaint Her Majesty, That they have, by Her Majesties Order, Received some Papers relating to the Scottish Plot, but being at the same time Informed by Your Majesties Direction, That there is some other Matter not yet laid before this House, they Humbly Desire Her Majesty, That the whole Matter, and all Papers relating thereunto, may be laid before them, with all Convenient Dispatch, That this House may not want an Opportunity, before the End of this Session, of Inquiring into, and Discovering the Wicked Designs and Conspiracies of Her Enemies.

Ordered, That the Lords with White Staves, do Humbly attend Her Majesty with the Address Agreed to this Day by the House.

Die Martis, 1 Februarii, 1703.

The Earl of Nottingham delivered several Papers and Letters relating to the Scottish Conspiracy, which were Ordered to be Sealed up with the other Papers relating to that Matter.

Then the Lord Steward Reported Her Majesties Answer to the Address, Agreed to by this House on Saturday last, viz.

HER Majesty having so lately Acquainted you, That She had Communicated to you all the Particulars relating to the Design against Scotland, which could yet be made Publick, without Prejudice to the Service, Her Majesty did not Expect to be press'd upon that Matter before it was scarcely possible that the State of it could be alter'd; And Her Majesty makes no Doubt, but before the End of the Session, there will be a proper time to Communicate that, which can't now be made Publick, without great Inconvenience.

Die Jovis, 3 Februarii, 1703.

This Day the Earl of Nottingham delivered several Papers relating to the Scottish Conspiracy; which being Sealed up as the former were: It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That all these, and the other Papers formerly delivered, relating to this Matter, shall be opened in this House on Tuesday the Eighth Day of this Instant February, at Twelve a Clock, and all the Lords Summoned to attend.

Die Martis, 8 Februarii, 1703.

This Day, pursuant to the Order of the Third Instant, the Papers delivered into this House relating to the Scottish Conspiracy were opened, and those delivered in the Twenty ninth of January last were read, as follows :

An Account of the Conspiracy in Scotland.

A.

THE Earl of Nottingham had an Account of some Designs of an Insurrection in Scotland, to be supported with Money, Arms and Men from France; with which he acquainted Her Majesty : Who having receiv'd some Informations of the like kind from the Duke of *Queensberry*, commanded him to Communicate these Matters to his Grace, that by Comparing them together, Her Majesty might the better judge of them. This the said Earl did, and his Grace said the Accounts he had received, were much of the same kind; and added, That his Informer was come from France, but his Name he was obliged to conceal, and was so forward and zealous in doing Service to Her Majesty, that he was willing to go again into France, and to send from time to time, or even to bring Intelligence of the further Progress of the French Designs; with which he was sure he should be trusted as he had been formerly. And his Grace said he accordingly designed to send him; which the Earl of Nottingham approved, and acquainted Her Majesty with this Conversation with the Duke of *Queensberry*.

The Earl of Nottingham had an Account, that Sir John Maclean, with others, were in Custody at *Folkston*, as coming out of France without Leave; and the same Day the said Earl had a Letter, as had also the Earl of *Cromerty* from Sir John Maclean, that at his Landing he had surrendred himself, and desiring that he might be brought before the Earl of Nottingham to give Account of his Coming; and that he intended so to do, appears by a Letter from Monsieur *Pigault* to the Mayor of *Folkston*. N^o I. November 10.
1703.

Sir John Maclean, with the others, was sent for in Custody, and Examined by the Earl of Nottingham: Who at first gave an Account, That he had long desired to come Home, and had often asked leave by his Friends, without Success; but that now hearing of the Indemnity granted by the Queen to Her Scottish Subjects, he gladly laid hold of it, being weary of the Hardships he endured in France, where he could not subsist on his Allowance; and he had never had any Post either in Court or Army; and he resolved to live quietly at Home, in hopes of some Favour from Her Majesty, in Consideration of the Sufferings of his Family for their Loyalty.

But being told, That though this was a very Specious Representation of his Case, yet 'twas impossible to believe that this was all, or the true Design of his coming; for he had delayed coming many Months after he knew of the Indemnity; for which indeed he pretended Sickness: and that now he came in so much haste, that he brought his Wife, who had lain in but Eleven Days; that an English Fisher-boat had been discharged by Order of the Court of France, a thing never done before, without Ransom or Exchange, on purpose to bring him to England; as appears by *Pigault's* Letter, N^o II. to John Jordan, and by the Affidavit of *Emptidge*, the Master of the Vessel, N^o III. And being further told, That however Indemnity'd he might be in Scotland, he was still liable to the Act of Parliament in England, which made it Treason to come hither; and that he must expect the Rigour of the Law, being so justly, from the above-mentioned Circumstances, to be suspected of Ill Designs. He at last said, He would tell the Earl of Nottingham all he knew, upon Assurance of his Pardon, and being treated like a Gentleman, so as not to be required to appear in Publick as an Evidence against any Person: Of which, by the Queens Order, he being assured, he then told the Earl of Nottingham the Things mentioned in the Paper, N^o IV. And afterwards upon a further Examination, he recollected the Names of the Persons, and the Men they could bring into the field, which *Lovat* alias *Frazer*, reckon'd upon, when he gave Account to the Court of France of the Scots Readiness to Rise if the French would support them: And this he put into Writing, N^o V.

The Queen commanded the Earl of Nottingham to acquaint the Duke of *Queensberry* with what Sir John Maclean had discovered: Who thereupon told the said Earl, That this *Frazer* was the Man who had disclosed to his Grace some Matters of this Nature, with which he had acquainted the Queen, but he had not told Her Majesty the Persons Name, being under a Solemn Engagement to conceal it. That this *Frazer* was brought to him by the late Duke of *Argyle*, and the Earl of *Leven*, who were privy to all his Proceedings with him; That *Frazer* was gone to France, and had promis'd to send his Grace an Account of all the French Designs, and would come back whenever any thing of Moment happened, or that his Grace should require him. Whereupon the Duke of *Queensberry* was desired to call him back, for he was more likely to do Harm than Good, by any Intelligence that could be expected from so ill a Man.

Note. That *Frazer's* Transactions with the Duke of *Queensberry* are more fully contained in the Papers, N^o XIV, XV.

Afterwards the Duke of *Atbol* having got Information, That the Duke of *Queensberry* had some Communication with *Frazer* in Scotland, and that *Frazer* was gone into Holland, by a Pass under feigned Names, he ask'd the Earl of Nottingham, Whether he had not Granted a Pass about the 13th of November, to *Campbell*, *Munroe*, *Dickenson* and *Forbes*: Which, upon Search, the said Earl found he had, and at the desire of the Duke of *Queensberry*; And then the Duke of *Atbol* told the said Earl, That *Frazer* was gone by Virtue of that Pass; That while he was here, he lodged at the House of *Thomas Clarke*, an Apothecary, who had received the Pass from Mr. *Campbell*, and carried it the same Day to *Frazer*, who was gone that Morning to *Gravesend*: And upon Enquiry of the Duke of *Queensberry*, the said Earl found that *Frazer* did go away under one of those Names.

Upon this the Earl of Nottingham sent for Mr. *Campbell*, and *Thomas Clarke*, which last, upon his first Examination, would own no more than what is contained in his Affidavit, N^o VI.

But the Duke of *Atbol* having told the Earl of Nottingham, the Ways by which Letters were Conveyed to and from *Frazer*; and by that means the said Earl having intercepted several Packets from *Frazer*, directed to *Thomas Clarke*:

Clark was again Examined; and then owned, That he had a Letter from *Holland*, subscribed *Smeaton*, which he burnt, and Inclosed in that Letter were two directed to Mr. *Campbell* and Mr. *Hill*, who both called for their Letters. That he had sent a Letter from Mr. *Campbell*, directed to *Smeaton*, under a Cover to *Neerinx* at *Rotterdam*, which were the Directions sent him by *Smeaton* in the Letter he receiv'd from him; and further said, that the Person called *Uncle*, in one of *Smeaton*'s Letters is Mr. *Ferguson*, he denied he ever had any Letters for others than *Campbell* and *Hill*, but afterwards, upon another Examination, he owned he had sent one from *Ferguson* to *Smeaton*.

And upon a Third Examination, he Described the Person who came for the Letter directed to *Hill*, to be a Thin Man, and to be the Person himself meant by *Hill*; and Mr. *Campbell* having said, That *Clark* told him he had a Letter for Mr. *Keith*; *Clark* afterwards owned that he had delivered the Letter directed for *Hill* to Mr. *Keith*, and avowed it to *Keith*'s Face when they were confronted, and that he had seen Mr. *Keith* once or twice with the Captain (for so he said *Frazer* was always called) but denied that he ever saw any other Person with him, at the same time that *Keith* was there.

To proceed in what relates to *Clark*, *Campbell* said, That *Frazer* assured him, That he had told *Clark* all Designs with the Court of *France*; That *Campbell* himself had delivered to *Clark* *Frazer*'s Commission, Signed *J. R.* together with the Picture of the pretended Prince of *Wales*, sealed up; but he told *Clark* what was under that Cover. *Clark* denied he knew of any such Commission: whereupon *Campbell* writ a Letter to *Clark*, N^o VII. to deliver to the Earl of *Nottingham* the Commission he left with him; *Clark* owned he had Receiv'd a Pacquet, but knew not what was contain'd in it, and being Weighty, he did not carry it Home, but gave it to one *Thompson* a Pike-Maker; who being sent for, brought the Pacquet, and made Oath he Received it from *Clark*, and in this Pacquet was a Commission to *Lovat* to be a Colonel, signed *James R.* and Counter-signed *Middleton*, and Dated *Febr. 1703.* and the Picture of the pretended Prince of *Wales*. And *Campbell* again declared to *Clark*, being confronted, That he had told *Clark* both of the Commission and Picture, upon the delivery of the Pacquet to him.

Clark is Committed for High-Treason to the *Gatehouse*. Mr. *Campbell* being sent for, and Examined about the Pass before-mentioned, he owned he had come for it by the Duke of *Queensberry*'s Order, That *Frazer* was gone with a Design to do Service to the Government, by giving and bringing Intelligence of the *French* Designs; but not giving any Account that was satisfactory of his Transactions with *Frazer* here, he was detain'd in a Messengers Hands, in Order to a further Examination; and afterwards the before-mentioned Letters being intercepted, of which several were directed to him; he owned that *Frazer* had bid him to Write to him by the Name of *Smeaton* under Cover to *Neerinx*, and that he had writ one Letter so Addressed by the Duke of *Queensberry*'s Order, to stay at *Rotterdam* for the Dukes further Directions, but denied he had ever received any Letter from *Frazer*, before he came first to the Earl of *Nottingham*; That he Communicated all this to the Duke of *Queensberry*; That he afterwards Writ a Second Letter which he sent by *Clark* to tell *Frazer*, That Sir *John Maclean* was come.

The Copy of this is marked, N^o XVI.
He said he had receiv'd a Letter by *Clark* from *Frazer*, with one inclosed to the Duke of *Queensberry*, which he delivered, but being askt for the Letter, he said, He had burnt it, because it contained Reflections on great Men; and being askt, If he had shewn it to the Duke of *Queensberry*? He answered, No: but he had told him, 'twas about Money that *Lovat* had Writ for the Payment of it, and that the Money which *Frazer* had, was returned by *Corbusier*. He said, That when-ever he spoke of *Frazer* to *Clark*, he called him *Smeaton*, and that he had seen *Clark*, *Keith*, and *Ferguson* in *Frazer*'s Company, but not at a time; but he never told the Duke of *Queensberry* that he had met these Persons with *Frazer*; and he owned a Copy of a Letter he had Writ to *Frazer*, N^o VII. to tell him all was Discovered here, which he said, he did, because *Frazer* should take Care of himself in *France*, lest he should be destroyed; but in the same Letter he Ordered *Frazer* to change the Address of his Letters.

After this he was again called for, and Examined, having desired, that the Duke of *Queensberry*, and Lord *Cromarty* might be present, and after having askt whether he should have his Life and Liberty here and in *Scotland*, if he ingenuously Discovered all, and being assured by the Lords present, That they would so intercede with the Queen, that he need not doubt of it: He gave a large Account of his Transactions with *Frazer*, and of *Frazer*'s Designs and Actions, which need not be specify'd, because being, by Her Majesties Command, assured of his Pardon, he put all into Writing, and signed, and made Oath of the Truth of it, which is markt, N^o VIII.

He was afterwards askt some Questions, part of which are mentioned before in the Account of *Clark*'s Case, others will be mentioned in the Case of *Keith*, besides which he was asked by the Duke of *Atbol*, what *Frazer* had told him, that *Frazer* had told to the Duke of *Queensberry*, to which *Campbell* answered, That *Frazer* said, He had told the Duke of *Queensberry*, That Duke *Hamilton*, and Duke *Atbol*, had Correspondence with the Court of *St. Germain*.

Mr. *Keith* upon all his Examinations, has so positively denied every thing that was laid to his Charge, even when confronted with *Campbell* and *Clark*, that 'tis needless to do more than to set down what is charged upon him, viz. what is contained in *Campbell*'s Information, and Mr. *Ferguson* charges him with having had Conversation with *Frazer* here before he went last into *Scotland*, and *Campbell* says so too; and that when he first saw them together, they discoursed as if they had been well acquainted.

That he received a Letter from *Smeaton*, directed to him by the Name of *Hill*, which *Clark* said he call'd for, and *Clark* gave it to him, and among the Intercepted Letters, some are directed in like manner to *Hill*.

That *Campbell* says, *Lovat* told *Keith* all which he had been transacting in *Scotland*, which *Keith* seem'd to approve.

And that *Keith* and he had been several times in Company with *Lovat*, which also *Clark* says *Keith* had been with *Lovat* once or twice.

He bought Three Watches, and gave them to *Lovat* to carry to *France*.

Keith is in *Newgate* for High-Treason, and *Campbell* is still in the Messengers Hands.

There is also *David Lindsay*, who went Secretary to the Earl of *Middleton* into *France*, with him committed for coming out of *France* without Leave; he is mentioned in the intercepted Letters: but what he says in Relation to these Designs is contained in his Papers, N^o IX, X. He was the Person who carried the Draught of a Letter from Lord *Dundee* to be signed by the late King *James* to the Convention in *Scotland*, but was cheated of it by Lord *Melfort*, who framed another, which he carried back to *Scotland*.

The

The Duke of *Arbol* informing the Earl of *Nottingham*, That *Ferguson* could and would give Account of *Frazer*, he was sent for.

Mr. *Ferguson's* Account of *Frazer*, &c. is contained in his Paper, N^o XII. He did also give in another Paper, which did not contain any Matters of Fact, and therefore is not here inserted.

Upon some further Examinations of the Persons mentioned in the foregoing Relation, Mr. *Campbell* said, That he saw *Frazer's* Credentials, which he brought from *France*, sign'd *James R.* and countersigned *Middleton*, that *Simon Frazer* left them in *Scotland*, with *Tom Frazer*, with Orders to deliver them to *Colin Campbell*, to be laid up with the Picture and his Commission.

That *Simon Frazer* never told the Earl of *Breadalbane* of his Design of returning to *France*, lest that Earl should have told it to the Earl of *Cromerty*.

That Captain *Murray* knew of *Frazer's* Design of going to the Duke of *Queensberry*, and believed 'twas only to amuse that Duke.

That Captain *Macleod* knew of *Frazer's* and *Murray's* design, and *Frazer* told *Macleod*, that if *France* would keep Promises made to him he would go on with the Design, and accept of no Remission.

Campbell shew'd to *Clark* his Commission, and the Picture, in order to *Clark's* getting a Case made for it, and shew'd them to *Clark*, before he sealed them, and gave them to *Clark*.

That *Clark* knew of all *Frazer's* Designs, and said, The sooner the King came, the better.

That the occasion of the Duke of *Queensberry's* trusting *Campbell* was *Simon Frazer's* Recommendation of him to the Duke.

Mr. *Ferguson* denied he ever had any discourse about the Duke of *Marlborough* :

Denied he ever saw Captain *John Murray*, or knows any thing of *David Lindsay* :

That he askt nothing of *Simon Frazer*, but *Frazer* said he would do him Justice, to which he (*Ferguson*) made no Reply.

He advis'd *Frazer* to do nothing thro' Picque against King *James's* Interest.

He owns that he heard *Clark* say at the *Vine Tavern*, that if *Frazer* was not true to the King's Interest, he would never trust any Man, or to that Effect.

Pigault's Letter.

N^o I.

Mr. Mayor of *Folkston*,

His Bearer, with his Lady, Child and Servants, hath desired me to give him some Recommendation. I desire you to be Civil to him, and to shew him you have a little Value for me. He is a very Worthy Gentleman, and will render himself to a Secretary of State : I have no other Acquaintance with him, but a Common Civility to a Stranger. I am,

S I R,

Your most Humble Servant,

Wm Pigault.

Pigault's Letter to John Jordan, Esq;

N^o II.

Mr. Mayor of *Folkston*,

Calais the 19th Nov. 1703.

I Was very much surprized to see a Privateer of this Town brought in one of your Fisher-Boats, and a Ransom for 25 *l.* and for all our Privateers had Orders not to meddle with any, and they had been sent back the same Day as I used to do, but only I was obliged to write to Court about it, where I have expos'd, that your *English* Man of War should not trouble the *French* Fishery. Upon which the *French* Court hath given Orders to return, and send back your said Boat and Ransom, with what belonged to them : So that *Thomas Emptidge* and *John Anderson* goes back ; they will tell you, as well as all your Fishermen, how much I protect and assist them ; now I leave to you to inform your Court of this, that they may give the same Orders to their Privateers and Men of War, not to meddle with any of the *French* Fisher-boats, that all the poor Men of both sides may be free, when they do nothing contrary to Law, and that they meddle in nothing else but their Fishery of fresh Fish. You may assure all your Fishermen, that Orders are given not to do them any wrong, and that it is my self have obtained those Orders. I doubt not but you will let me know, if our Fishermen can expect to have the same Liberty, for the *French* Court hath given this Liberty, but upon the Assurance I made of an equal Return.

Our Prison is full of poor *English* Prisoners, which have not all their Ease in such cold Weather that is approaching ; they are in great Expectation for Captain *Gibson's* coming with *French* Prisoners to be exchanged. They beg of you to take Care of several Letters which the Master hath, the which are only for Supply. Pray send this Letter to Captain *Gibson*, and if *William Nicbolls* be alive, pray remember me to him ; and assure all the Fishermen of my readiness to serve and assist them. I hope you will excuse all this which is for Charities sake. I am with due Respect,

S I R,

Your most Humble Servant,

Wm Pigault.

Affidavit of Tho. Emptidge.

N^o III.

Vill. de *Folkston*. ff.

Thomas Emptidge of the Town of *Folkston* in the County of *Kent*, Fisherman, upon his Oath said, That on *Wednesday*, the 6th of *October* last, he, this Deponent, being Fishing in the Channel, off of *Romney*, about Two Miles off of the *English* Shoar, was with his Boat, Nets, and whole Crew of Men taken Prisoners by a *French* Privateer of *Calais*, and carried into that Port ; where he and his Company

pany lay in Prison there until Friday last, when they were let out of the Common Prison, and by a Guard put on board of a Bus lying in Calais Harbour, where they lay under a Guard till Saturday last, that they were removed into their own Boat, and had there a Guard over them, while Yesterday being the 8th of November Instant, about 11 of the Clock in the Forenoon, that the Governour of Calais came down, and told him, this Deponent, that he had received an Order from the French Court to permit this Deponent and his Company, with one John Anderson of this Town, Fisherman, who was there for Payment of a Ransom agreed on, but ordered by the said Court to be released, and Two Boys, who told this Deponent, that they were taken Prisoners in the William and Thomas of London, about 15 Months ago, being then bound for Newcastle, and have since been detained there for Payment of 150 l. Ransom, which as he, this Deponent, hath been informed, is paid; and withal the Governour by an Interpreter told this Deponent, that he had some People to send over by him, and thereupon 12 Persons, Men, Women and Children, who were put on board his Boat, and whom this Deponent landed at the Stade here, about Four in the Afternoon Yesterday, and who are all now in Custody at the White-Hart within this Town.

Thomas Emptidge.

Dicitur Depon. Jurat. fuit apud
Vill. de Folkestone in Com. Kant.
9 Die Novembris, Anno Dom.
1703. Coram me,

Vera Cop. exam. per
Hen. Barton, Coem.
Cler. Vill. Frad.

John Jordan, Mayor.

The Substance of Sir John Maclean's Discovery to the Earl of Nottingham.

Nº IV.

IN July 1702. the Lord Lovat came to France, and told Sir John Maclean, That he had Matters of great Importance to Communicate to the late Queen; but before he would tell them, he required a Promise from her, not to reveal any thing of what he said to any of her Ministers: Which she did make him, and thereupon Sir John Maclean carried him to the Queen, as he did afterwards by her Directions to Monsieur Torci; To whom, as he had before to the Queen, he said, That he was come from Scotland, particularly from the Highlands, where he had discoursed with many Heads of Clans, particularly Stuart of Apin, Sir Ewin Cameron, Sir Daniel Macdonnell, and others, from whom he brought Assurances, that they would rise in Arms with 10000 Men, if they were assisted from France with Money, and Arms, and Troops, to support and protect them in gathering together.

Monsieur Torci, after Communicating this to the French King, and some difficulty of sending Men, assured him, That his Master would furnish them with Money and Arms, and also Men, so soon as his Affairs would admit of the last: And the Number agreed upon was 5000, which were to be transported from Dunkirk, and Landed at Dundee, from whence the March was short and easy to the foot of the Highlands, to which, if need were, they might retreat, and in the mean time might make a stand, and oppose any of the Queens Forces that might be sent against them, and give time and opportunity to the Highland-Clans to assemble, and come to them, and form and increase the Army, to be superiour to all the Queens Forces in Scotland; and to facilitate this Design, 500 Men more were to be sent from Brest to and seize the Fort of Innerlochy, which could not resist Cannon, being commanded by Hills

near it. This would give Security to Ships coming into the River, and be a Means to convey Supplies of all kinds, from time to time, as there should be occasion. The Execution of this Project was delayed partly, as has been said, because the French King could not spare his Troops; partly, because his Fleet was not in a Condition to oppose us, and then the Men he sent would be lost, if they could neither be succoured, nor brought off; and partly, because he did not entirely rely on the Lord Lovat's Information and Assurance, and partly, that he might see the Event of the Scottish Parliament; by which also he might judge of the Temper and Disposition of the Scots, as well as by some further Inquiry which he resolved to make. And in order to it, he had thought of sending some Frenchman to Scotland with Lord Lovat, to bring a just Account of what might be expected from them; but the Hazard of a Frenchman's being discovered by his Language, the Difficulty of his making Enquiries for want of the Scottish Language, and the easiness of deceiving him, by shewing false Persons to him under the Names of Heads of Clans, diverted him from this thought; and therefore Lovat was sent back in May last, with Captain Frazer and Captain John Murray, who had long been in the French Service, with Orders to come back as soon as the Scottish Parliament was ended, with a distinct Account of the Inclinations of the Scots, and what their Numbers would be, which might be relied on, to joyn with the French: And at Sir John Maclean's coming from Paris they were expected back, but were not returned. But upon the Accounts they should bring, depended the Execution of this Design. Besides this Captain Murray, there was another, James Murray, who was sent to Scotland, with Orders to speak with Duke Hamilton, (to whom one Bell was sent before with like Directions, and died in Holland) and to engage him in the Interests of France, for the Support of the Prince of Wales. There had been other Messages sent to him, but the Queen told Sir John Maclean she had had no Answer, and therefore ordered Sir John Maclean to sound Duke Hamilton; and if he found him disposed to Her Service, then and not otherwise, to Communicate to him this Project. This he was also to do to the Lord Athol, and Lord Marshal.

Sir John Maclean said also, That Stephenson, a Banker, was formerly sent to Duke Hamilton, and at his Return was put into the Bastile, which, they thought, was occasioned by Duke Hamilton's not trusting him, and to prevent his Discovery, Duke Hamilton being cautious of Speaking with any that came from St. Germain's, where the Factions were so great, that nothing was secret, and therefore would send by Persons of his own chusing.

Being asked, How he knew these Persons were so sent? he answered, That the late Queen told him so.

He said he saw several Scottish Gentlemen in France in the time of Peace, particularly the Lords Montrossi, Hay, Seaton, Roxborough, who desired to pay their Respect, and wait on the late King; but he refused

refused them, saying, It would be known, and might do them Harsh, and he was enough assured of their Fidelity, and good Inclination, without that Ceremony.

He does not know the particular Errand of *David Lindsay*, but says, He has been several times sent into *Scotland*. He says *Lindsay* was the Man who carried the Draught of a Letter prepared by the Lord *Dundee* and others, for the late King *James* to sign, and send to the Convention of States, with Orders to deliver it to none but King *James* himself; but was deluded by Lord *Melfort*, who prepared a different Letter, and suppressed this. He says this Story he had from my Lord *Dundee* himself.

There is one Mrs. *Fox*, in Custody, who came over with Sir *John Maclean*: He says she was a great Friend of Lord *Melfort*'s, and upon his Disgrace turned to the other side, and has all along been a very Intreaguing Woman.

Sir John Maclean's Account of the Names of Chieftains in the Highlands, and of the Numbers of Men they were to Raise, as it was Represented by Frazer to the Court of France.

N^o V.

SIR *Ewin Cameron*.

Sir *Donnald Macdonnal*.

Captain *Clankannald*.

The *Macleods*.

Mr. *John Mackenzie*, Uncle to *Seafort*;

For the Families of the *Mackenzies*.

Glengery, and the other Families of

The *Macdonnals*,

The *Farghuesons*.

The *Mac-Phersons*.

A Part of the Family of the *Mac-Dulobes*,

Under young *Borlamine*.

The *Rosses* in *Murray* under *Ross of Killrack*.

The *Frazers*.

The *Chiselm* of *Strath-Glasse*.

The *Stuart* of *Appin*.

The *Highlanders* belonging to *Perth*.

Some Horse out of *Murray* and *Inverness*.

With *Inns* of *Caxton*, and others.

Some *Graunts* by *Baddendalish*.

Some of the *Rosses* of *Beluagonens* Family.

Lovet answered for by his Relation to them.

The *Highlanders* belonging to the

Duke of *Gordon*.

The Families of the <i>Macdonnals</i> —————	1800	The Numbers Reduc'd by the Earl of <i>Cromarty</i> , Her Majesties Secretary of State in <i>Scotland</i> , to what he suppos'd the several Chieftains might be capable of Raising.	600 or 700
The <i>Mackenzies</i> of <i>Seafort</i> 's Family —————	1200		
The <i>Macleods</i> —————	700		
The <i>Frazers</i> —————	1000		
The <i>Farghuesons</i> —————	700		200
The <i>Mac-Phersons</i> —————	700		300
Of the <i>Mac-Dulobes</i> —————	500		300
Of the <i>Rosses</i> by <i>Killrack</i> —————	500		200
<i>Chiselm</i> <i>Strath-Glasse</i> —————	200		150
<i>Stuart</i> <i>Appin</i> —————	200		
<i>Perth</i> his <i>Highlanders</i> —————	600		
<i>Graunts</i> by <i>Baddendalish</i> —————	300		600
Of the <i>Rosses</i> of <i>Beluagonens</i> Family —————	300		200
Belonging to the Duke of <i>Gordon</i> —————	1000		500
To be made up of Horse in the Shire of <i>Murray</i> and <i>Inverness</i> —————	1000		200

The Affidavit of Mr. Tho. Clarke, Decemb. 2. 1703.

N^o VI.

A Certain Gentleman, who went by the Name of *Captain*, but what other Name he had I know not, came accidentally to lodge at my House, and did continue there almost a Fortnight, and when he went away he went to *Gravesend*, and so for *Holland*, with Three more that were with him, on Board a Dutch Vessel, called the *King William*, which is all that I know of the Matter; only that he had a Pass which contained these Names, (*viz.*) *Campbell*, *Munroe*, *Dickenson* and *Forbes*, which Pass was brought to me by a pretty tall, thin, black Gentleman, on the *Saturday* Night after that he went off at *Billingsgate*, which was the 13th of *October*, 1703. the said black, thin, tall Gentleman having been with the *Captain* at my House two or three times before he brought me the Pass. The *Captain* himself was a pretty

pretty tall Gentleman, sanguin Complexion, fair Hair or a Periwig, and I took them all to be *Scottish* Gentlemen. The Pass was signed by the Right Honourable the Earl of Nottingham.

Sworn before me this
2d Day of Dec. 1703.

Nottingham.

Tho. Clarke.

To Mr. Thomas Clarke Apothecary in Watling-street.

N^o VII.

S I R,

GIVE the Commission I left with you to the Earl of Nottingham, from
London.

Your Servant,

Colin Campbell.

Mr. Campbell's Discovery, December 24. 1703.

N^o VIII.

To the Right Honourable the Earl of Nottingham, Principal Secretary of State.

My Lord,

THE Inclosed is the Matter of Fact of all that I know concerning Unhappy *Frazer's* Transactions against the Government: I would to God I had never seen him, I had lived a Dutiful Servant to the Queen and Her Government. This is all the mends I can make. I thank God I have Repented, which gives me full hopes of Her Majesties Pardon in all respects, as your Lordship assured me of, on my performing what now your Lordship sees I do, without Reserve. Your Lordship knows well that a Person in my Circumstances is liable to; but the great hopes I have of being received to Her Majesties Favour, makes all easie to me: for I am Resolved, while I breath, to Serve Her Majesty against all Mortals, and will for ever Repent what I have done. I hope a favourable Answer from your Lordship, for I am, in all respects,

May it Please your Lordship,

24 Dec. 1703.

Your Lordships most Humble,

and Obedient Servant,

Colin Campbell.

May 1702.

Simon Frazer was in the North of Scotland, and on King *William's* Death he went to Sir *Hugh Cambron* of *Lochill*, and *Mac-Donnall* of *Clanronald*, Sir *Donnall Mac-Donnall*, and several others in that Countrey, were but Dependants on the former Persons, who are not necessary to be named here. I cannot be positive whether he had Allowance from Sir *Donnell*, to Treat with the Court of *St. Germains* or not; but *Frazer* himself told me, he had from the rest: with this he went for *France*; the first Person he sent for was Sir *John Maclean*, by whom he understood the Circumstances of the Court at *St. Germains* to be such, with *Pertb* and *Middleton's* Animosities amongst themselves, that there could be nothing done by them; he applied himself to the Queen at *St. Germains*, and had her Allowance to Treat with the Court of *France*, to see how *Scotland* might be Invaded. The Incouragement he gave that Court was, That he himself was come there with Allowance from the *Highlanders*, tho' in effect he had Allowance from none but what I have named; Yet he Represented, That he was come with Allowance from the whole *Highlanders* of *Scotland*, and that they wanted only Men, Money, and Arms, to put them in Condition to appear for their Master (as he call'd him) the King. The Court of *France*, as he said, was very Frank, and was willing to give Men, Money, and Arms; but when the Design was Publick and Known to the Court of *St. Germains*, their Animosities were a great Hindrance to it. His Proposal was, That the Court of *France* should Land 5000 Men in *Scotland*, Money, and Arms, to the *Highlanders*, and that he would undertake to make a Rebellion in *Scotland*. Captain *Alexander Maclean* did Represent at *St. Germains*, That *Frazer* was not able to make good his Proposals; so that 'twas not fit to trust him with Men, or much Money. This was Represented to the Court of *France*, which made them unwilling to venture Men or Money, without a good Assurance from *Scotland*. So it was Resolved, That *Frazer* should be sent to *Scotland*; and Captain *John Murray*, who was Ordered to be a Witness to *Frazer's* Transactions in *Scotland*, and that he might himself make all the Friends he could for their Interest. There came over with them Colonel *Graham*, and Major *Frazer* from *Calais* in Captain *Gibson's* Ship; they went thro' the Countrey of *England*, to the Borders of *Scotland*, where *Frazer* stay'd, and Captain *John Murray*, and Colonel *Graham* went for *Edinburgh*: This was all *Frazer's* own Account to me of what is Material to be Writ. Colonel *Graham*, and Captain *John Murray*, received the Benefit of the Queens Indemnity. *Frazer* sent for me and Captain *Macleod* to come to him. Captain *Macleod* went, but I did not: He Wrote to the Duke of *Argyle* with Captain *Macleod*, and to the Earl of *Leven*. *Frazer* came within Twelve Miles of *Edinburgh*, where Captain *Macleod*, Captain *John Murray*, Major *Frazer*, and I, met with him. [I.] He told me he was to meet the Earl of *Leven* within a little space of *Edinburgh*, and was to go meet with the Duke of *Argyle*, near *Newcastle*. [II.] I was then asking of *Frazer* of his Transactions Abroad, and what his Instructions were: He told me, That if he could but make any sort of Rebellion in the *Highlands* of *Scotland*, his Fortune was made for ever. Next day he met with the Earl of *Leven* at *Carthar*, from that he went near *Newcastle*, and met with the Duke of *Argyle*; then he went to *Argyle-shire*; the Duke of *Argyle*, and Earl of *Leven* recommended him to the Duke of *Queensberry*; Captain *Macleod* was Ordered by the Earl of *Leven* to Write for *Frazer* to *Argyle-shire*, to come to *Edinburgh* to Wait on the Duke

of *Queensberry*, and sent him the Dukes Pass to carry him along. When he arrived at *Edinburgh*, he stayed at Captain *Macleod's* House, where the Earl of *Leven* had several Conferences with him; and sent Captain *Macleod* along with him to the Commissioner. I can't be positive how often he waited on the Commissioner, but I think it was twice. I askt him what his Conference was with the Duke of *Argyle*, the Duke of *Queensberry*, and the Earl of *Leven*: For I had reason to think that they were employing him to serve the Queen and Her Government. He said to me, That all of them were his good Friends, and were making him Offers, but that he would not quit the Interest of *St. Germains*, if they kept Measures with him. [III.] This is the Substance of what he said to me on this Occasion. He went from *Edinburgh* to *Montieb* and *Stratbarn*. Captain *John Murray*, who was Ordered by the Court of *St. Germains* to go along with him, and be a Witness to all his Transactions, stayed after him at *Edinburgh*, and was making all the Friends he could, with all those in the Parliament, which he thought were inclined to the Interest of *St. Germains*. He said he had been with the Earl of *Erroll*, the Earl of *Mareschal*, the Duke of *Gordon*, and several others, but named no more to me; and that he had been speaking with several Barons, but did not name any. He went with the Lord *Drummond* to meet with *Frazer*. *Frazer* told me, That they met with him at *Drummond*, and that *Stuart of Apping* was there; that *Morbar* of *Abercany*, Young *Cambron* of *Lochill*, *Stuart of Cregtomb*, *Robert Mackay*, *Abercany's* Son, with some of the Leading Men of the *Mac-Grigers*, *Drummond* of *Bobaidab*, were there; This is *Frazer's* own Relation to me, and said, That they were all ready to serve the King, if there was but a reasonable Occasion. He desired me some time before that, to carry a Line to the Earl of *Breadalbin*, desiring earnestly to see him. I delivered his Letter to the Earl, who understood by me *Frazer's* Designs. The Earl said, That he was too Old to turn Papist, and that no Man, who was a real Protestant, could Meddle with a Popish Interest, and be Secure of either his Life, Liberty or Estate; and that he would not Meddle, for that he was Resolved to Serve the Queen and her Government. I had Occasion to see *Frazer* again, who pressed me to carry another Line to the Earl. I told the Earl, That *Frazer* had seen the Duke of *Argyle*, *Queensberry* and *Leven*; and then he said, That seeing he had seen so many, that he should not have to say, but he should see him. I met *Frazer* afterwards, and told him, That he might see him. *Frazer* told me, That Duke *Hamilton*, and the Duke of *Athol*, were to send *Mac-Donnall* of *Glengerry*, and Captain *Morbar*, *Stenhope's* Brother, to *France* to Treat with the Court of *St. Germains*, in order to Restore the King, as he said, and to Ruine him, and do all themselves; and that tho' Captain *Morbar*, *Stenhope's* Brother, was but come from *St. Germains* a little before him, yet that he durst not trust himself to him, because of his Intire Dependence on Duke *Hamilton*, and Duke of *Athol*. *Frazer* said also to me, That e're he left *Paris*, that he got a Man that the Earl of *Cromarty* had doing for him abroad, which the Court of *St. Germains* put into the *Bastile* as a Spy, and would not be trusted. All this is *Frazer's* Relation to me, but I cannot assert it as truth. *Frazer* went to see the Earl of *Breadalbin*, and from that to *Argyle-shire*, where he had left his Brother, and Major *Frazer*; and so returned again to *Drummond*, where he had a Conference with the Lord *Drummond*, and the Persons I sent before: Some of them were angry at him that he had seen *Breadalbin*, and said he could not be trusted; yet that they resolved to offer him the sole Command, if he would go but along with them. He said he had spoke to the Earl, but that his Answer was, That he was too old to turn Papist, and would not meddle or allow him to say any thing for him at his Return to *St. Germains*; for that he found by the Earl, that he was determined to serve the Queen and the Government. This was *Frazer's* Relation to me. *Frazer* came straight from *Drummond* to *Edinburgh*, and staid a Night at Captain *Macleod's*, and made the best of his way for *London*. Captain *John Morbar*, when *Frazer* was in *Argyle-shire*, went to *Stuart of Appings*, where he expected to meet with *Frazer*; but *Frazer* being sent for to *Edinburgh*, he mist him, but, as he told me, by accident he had met with Sir *Hugh Cambron* of *Lochill*, *Stuart of Apping*, *Mackay* of *Glencoe*; who he said would be very ready, upon a reasonable Occasion, to serve the King. *Morbar* from that returned to *Edinburgh*, and went no further in the *Highlands*. *Morbar* was to go through all the People in the low Country, that he thought was inclined towards the King's Interest, to see what Assurance he could have from them. I left *Scotland* upon the Rising of the Parliament, so that I know no more of *Morbar's* Transactions. When *Frazer* arrived here in *London*, he sent to me, and I went to him: He desired me to acquaint the Duke of *Queensberry*: Which I did. The Duke met several times with him, but I was not present: All *Frazer* said to me of it, was, That the Duke was using Endeavours with him to serve the Queen and Her Government; and said to me, If Measures were not kept with him Abroad, That if the Duke procured him his Pardon, he would return, and serve the Government; for he said he suspected the Animofities of the Court at *St. Germains* would destroy all the Designs. He lodged at Mr. *Clarke's*, who knew what he was, and of his Designs of going Abroad. [IV.] I saw Mr. *Keith* with *Frazer*, several times at Mr. *Clarke's*. Mr. *Keith* was privy to all his Transactions Abroad, as I understood by their Discourse before he went to *Scotland*. [V.] All our Discourse at Mr. *Clarke's* was of the King, and how *Scotland* might be Invaded, and of *Frazer's* Transactions in *Scotland*. Mr. *Clarke* did over-hear us several times, as I think. I Supped with *Frazer*, Mr. *Keith*, Mr. *Corbusier*, Major *Frazer*, his Brother, and an *Irish* Man, who *Frazer* said to me had been a Priest. I know not his Name; the most of our Discourse was on Bills that he was to receive from *Corbusier* to *Holland*. I did not mind the Particulars of what past. I doubt not but we spoke of the King, and drank his Health; which is all I mind of what passed that Night. I did see *Corbusier* twice with *Frazer*, and Mr. *Clarke*: He discoursed none with him in my presence, but brought him aside, and talked a little of private Affairs, and went his way. I saw Mr. *Ferguson* with him once: When I came into the Room, *Ferguson* got up, and made an end of a Discourse he had with *Frazer*, telling how much he had repented his former way of living, and being concerned against the Royal Family; which is all I could make of what he discoursed, and so he went his way. *Frazer* told me, that he did not trust him; for tho' he had a Pension from *St. Germains*, yet he might have one from the Queen and Government here, for ought he knew; so he did not trust any of the Secrets of his Affairs to him, as he said, but sent for him to know what was passing here in Town, for that he was very intelligent. This is all he told me concerning *Ferguson*. I Dined with *Frazer* the Day he went off, at a Tavern hard by the Monument, with the same Company that I Supped with him formerly. I stayed with him till I had Dined, but did not mind particularly what Discourse passed, save of his Bills, tho' no doubt there was Discourses, tho' I cannot descend to Particulars. I left them, and came

As to Glengerry's being sent, I discovered that to be False, he going straight to the North to his own House, which I understood when I arrived at Edinburgh.
Colin Campbell.

for a Pass; which Pass he desired me to give to Mr. Clarke, who was there at Dinner: I brought him the Pass, which the Duke of *Queensberry* procured from the Earl of *Nottingham*, under the Names of Mr. *John Campbell*, Mr. *Munroe*, and *Dickenson*; which I delivered to Mr. *Clarke*, who went with it to *Gravesend*, when the Discovery was made of *Frazer's* being here, and of my Carrying the Pass to Mr. *Clarke*; and that, as I heard, the Duke of *Atholl*, who made much Inquiry about it, was very angry with me. I jealousd that Mr. *Keith*, who was privy to all, made the Discovery to the Duke, and gave it him as a handle to reflect on the Duke of *Queensberry*, who I knew *Keith* had no Friendship for: I was resolved not to go near *Keith* afterwards, nor meddle more with him; but he had ask'd several times for me at my Lodgings, and got me at Home at Ten a Clock at Night: He ask'd me if I had heard any News, for that there had been much talking of our Friend *Frazer* in Town. I said that that I knew, for that he had been Examined by the Earl of *Nottingham*; and that it was a Surprize to me, how my Carrying the Pass could be discovered, and that none could do it but Mr. *Corbusier*, *Clarke*, he, or I. *Keith* was very uneasy, and said he would be at the bottom of it. With this we parted: I went to see *Keith* afterwards, who told me he had been with the Duke of *Atholl*, and owned that *Frazer* had sent for him, and that his Business was to see if he could make a Friendship for him with his Grace: This *Keith* said he did to keep himself right with *Atholl*: He said that *Atholl* desired him to go to the Earl of *Nottingham*, and own that he had seen *Frazer*. This made me jealous *Keith* the more. Sometime before this I had occasion to be with Mr. *Keith*, at his Chamber, where we spoke of the King's Concerns at *St. Germain's*; and he told me, that he had advised *Frazer* not to return to invade *Scotland*, unless the King came in Person, as he said: For otherwise he could not expect any Man of Interest would meddle; but if the King would Land himself in *Scotland*, that he would be sure of the Old Gentry of the Nation. I was saying to him my self, that I thought the *Highlands* in *Scotland* were generally well inclined: I did say to Mr. *Keith* on some Occasions, that I thought the Earl of *Breadalbin* was very well inclined, and all his Interest: Tho' truly I must say, I had no Warrant for it, nor did he ever say so to me; but on the contrary, that he would never meddle with a Popish Interest. Mr. *Keith* read to me a Paper, which was Observations on the Court of *England*: The Substance of it was this; Shewing how the Duke of *Marlborough* and my Lord-Treasurer, managed all; and made *Middletown* and *Ferth* believe, that they were Friends to the King, and designed to restore him after the Queen's Death: This he said in his Paper, was all but a Sham, and that the real Design was to amuse them, and settle the Succession on the Family of *Hanover*: He told me he was to send this to *Frazer*, who was to shew it to the Court at *St. Germain's*. He had also Proposals in his Paper, how *Marlborough*, and my Lord-Treasurer's Designs might be prevented, and the King brought Home. I cannot mind the Particulars, save only that a speedy Invasion was one of the ways he proposed in his Paper. He was also to send a Scheme of the Army here to *Frazer*. All this past between *Keith* and me, before our Letters were intercepted between us and *Frazer*. The first Direction we had from *Frazer*, was to write to him by the Name of Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx*, Merchant in *Rotterdam*. The Letter I had this Direction by, came to me by the Hands of Mr. *Clarke*, and there came a Letter to Mr. *Keith*, as Mr. *Clarke* told me, by the Name of Mr. *Hill*, and one to Mr. *Ferguson*, by the Name of Mr. *Smith*. I had one inclosed in my Letter to the Duke of *Queensberry*, and one to the Earl of *Leven*, both I delivered. When 'twas said publicly here, That *Frazer* was gone as a Spy from the Duke of *Queensberry* to the Courts of *France* and *St. Germain's*, the Duke sent for me, and said, It was fit I should write to him to return, for that his Undertakings to him would be heard of in *France*, and that certainly they would destroy him there. The Earl of *Leven* and the Earl of *Stairs* were present, and proposd not to write so plain, for that there was reason to think, that by that time he was at *Paris*, and that he had been taken up there, and a Letter of this Nature intercepted would be an Evidence against him: So it was resolv'd, that I should only write, that his Affairs and Practices here were discovered, and that it was fit for him to consider, what the Import of this might be to him where he was. I wrote twice to him to this purpose by the Duke's Allowance; I sent my Letters under a Cover to Mr. *Gilbert Black*, Merchant at *Rotterdam*, to be given to *Vincent Neerinx*, who was to further them to *Frazer*, under the Name of *Smeaton*. The way I desired *Frazer* to write to me, was by the Name of *John Moncref*, to the Care of Mr. *Campbell*, Goldsmith in the *Strand*. I did see Mr. *Keith*, and he and I both resolv'd after that to Correspond no more with *Frazer*, for fear our Letters might be intercepted; and we resolv'd, if we should be examin'd by the Government, not to own any Correspondence with him. I went to Mr. *Clarke*, and gave him several Papers to keep, and *Frazer's* Commission, as Colonel, from the King at *St. Germain's*, with the King's Picture; I sealed the King's Picture and Commission in a Paper, and told him what they were before I sealed it. [VI.] When *Frazer* went off, he left several Letters with me, one to the Earl of *Breadalbin*, one to *Bobady*, and one to *Frazer* of *Envahellea*, one to Mr. *Cullen Campbell*, the Earl of *Breadalbin's* Son, one to Captain *Cloud*, by the Name of Colonel *Corbet*; the Substance of his Letter to *Breadalbin* was, shewing him how much he was his Servant, and offering him the Command of all, if he would but meddle in this Project, and that he hoped to see him, and put a Piece of Parchment in his Hand; The Substance of his Letter to *Bobady* was Protestations of Friendship to himself and his Family, and his Father-in-Law *Lochill*, and that he would mind him effectually where he was going, and told him he had sent with me to him the King's Face set in Gold; The Substance of *Frazer* of *Envahellea's* Letter was telling him, he being nearest of kin to him, that he left with me, in case he should never return, the King's Picture, his Commission and Instructions, with several other Papers concerning his Estate; this Letter was not to be delivered unless I heard that he and his Brother were dead; His Letter to Mr. *Cullen Campbell* was nothing but a Complement, desiring his Friendship and a Correspondence. These Letters were all in my Custody unsealed; when I considered how obnoxious he was to the Government, and that the Earl of *Breadalbin* did not write to me, that he had seen him, or allow me to Correspond with him, I burnt his Letter, and all the rest, save Captain *Macleod's* Letter, which I sent him by the Post, seeing I had no manner of Allowance from them to Correspond with him. *Frazer* told me, that he had sent his Servant *Tom Frazer*, with the Instructions he had from the Court at *St. Germain's*, to shew them to Sir *Donnall Macdonnall*, and *Macdonnall* of *Clanronald*, and to the rest of the Clans of the *Highlands*; and that he had order'd him to give me the Instructions when I arriv'd in *Scotland*; he told me, that by the same Hands (*Tom Frazer*) he had sent Letters to Sir *Donnall Macdonnall*, *Macdonnall* of *Clanronald*, and several others, but had not time to stay in *Scotland* to receive any Answer. *Frazer* told me, that Captain *John Morbar*, with a Son of *Lochills* was to be here this Month in Order to go after him to *France*; *Frazer* said, that if Measures were kept with him abroad, and that the *French* would land an Army in *Scotland*, he resolv'd himself to come

to *Scotland* before them, and raise as many of the *HIGHLANDS* as would go along with him, and divert the Army in *Scotland* with them, till the *French* Landed; he said he would urge with all his might, that the King should come to *Scotland* in Person. He writ to me a Letter from *Holland*, with the First Letters I had by the Hands of *Clarke* to Captain *Macleod*, under the Name of Colonel *Corbet*, which I burnt without Reading: the way that he was to Correspond, and send his Letter to *England*, as he said, was with Captain *Gibson*, by the Interest and Means of a Person in a Cloyster at *Calais* or *Dunkirk*. This is the Substance of all that ever *Frazer* Communicated to me of his Transactions. I was several times with Mr. *Clarke*, who still said, That the sooner the King came over, the better. I met twice with Mr. *Ferguson* at the *Vine-Tavern* in *Holbourn*, where Mr. *Clarke* was present. I told *Ferguson*, That I had been Examined by the Earl of *Nottingham*; I askt his Advice what to do; He told me, certainly I should be Re-examined and put in Custody. He told me also that *Frazer* was gone from the Duke of *Queensberry*, as a Spy to the Courts of *St. Germain*s and *France*, and to give the Duke Notice of all their Proceedings; and that certainly he would be put in the *Bastille* at *Paris*, for that Notice would be there before him: then *Clarke* said, If he was perfidious, and not a Friend to the King's Interest, he would never trust a Man after.

The 24th of December, 1703.

Colin Campbell.

Sworn before me this 24th Day of

December, 1703.

Nottingham.

Additions, Jan. 12. and 15. to be inserted to Mr. Campbell's Narrative, of Dec. 24th.

[I.] Which was the first time of my Conversing with him after his Return into *Scotland*.

[II.] And that Captain *Murray* was to bring my Lord *Drummond* to him the Day after he was to meet with the Earl of *Leven*, and *Frazer* told me he would use his Endeavour to persuade my Lord *Drummond* to joyn with him in the Rebellion. (v. II. Inf.)

[III.] He further told me, That he had Acquainted the Duke of *Argyle*, the Duke of *Queensberry*, and the Earl of *Leven*, that Duke *Hamilton* and the Duke of *Atholl* did keep a Correspondence with the Court of *St. Germain*s. (v. III. Infr.)

[IV.] Though *Frazer* did not Impart to me all that past between the Duke of *Queensberry* and him, yet after he was gone, the Duke told me, That *Frazer* had given him an Account of some Designs that were Carrying on in *Scotland* against the Queen and Her Government; wherein he said, the Duke of *Atholl* was concerned. And the Duke of *Queensberry* further told me, That the reason of his Countenancing of him, and procuring him a Pass to *Holland*, in Order to his going into *France*, was, because he had undertaken to Discover all the Designs of the Court at *St. Germain*s against the Queen and Her Government, and would return to make known all he could Discover, and what Persons were concerned in any such Designs.

[V.] But the Duke of *Queensberry* did not know that *Frazer* had any Correspondence with *Keith*, neither did *Keith* know what he had promised the Duke to do upon his going to *France*.

[VI.] Among the Papers was a Pardon that *Frazer* and several of his Kindred had from King *William*, and Two Bonds from the late Lord *Lovat* to him of Fifty Thousand Marks each, and several other Papers of Private Concerns.

This further Information was Dictated by me on the Twelfth Day of *January*, 1703. the several Clauses of which are to be inserted in a former Information given in by me the Twenty-fourth of *December*, 1703. according to the Numbers Annexed, and is what has Occurr'd to me since.

Witness my hand,

Colin Campbell.

[II.] *Frazer* then said, That he was not to tell the Duke of *Argyle*, or the Earl of *Leven*, the Secrets of his Design, but that he was Resolved to go privately to the *HIGHLANDERS*, and shew them his Instructions from *St. Germain*s. This was what he said to me then, though afterwards he altered it: at the same time he gave me a Letter to the Earl of *Bredalbin*, desiring Liberty to see him. This Letter I carried to the Earl, who told me, He would not see him: As also some other things mentioned in the Information formerly given by me.

[III.] When *Frazer* Lodg'd at Captain *Macleod*'s, Captain *Murray* brought him to my Lord *Drummond*, and *Frazer* told me, That it was then they concerted their Meeting at *Drummond*, when he was at Captain *Macleod*'s: His Discourse was in general concerning his Transactions at *St. Germain*s, but I cannot remember any other particulars, than what I formerly delivered, only that *Frazer* told me, He was to receive some Money of the Duke of *Queensberry*. This was all a Mystery to me, till coming to *London*, the Duke of *Queensberry* told me of the Discoveries he had made to him.

January 15th 1703.

Colin Campbell.

David Lindsay's Paper sent to the Earl of Nottingham, Decemb. 8. 1703.

No IX.

London, the 8th Dec. 1703.

My Lord,

To perform what your Lordship and the Honourable Council required of me, I shall begin with some things that past before the Death of the late King *James*, His Majesty enjoyed His Son in frequent Discourses of what had befallen himself for not keeping exactly to the Laws of *England*, relative

both to Church and State, and desired him if ever he came to Rule over that People, to take Care to be a strict Observer of them, that he might not spl t upon that Rock which had been so fatal to Him.

After His Death I never knew of any Measures that was taken, but in Prosecution of this and that, in no other manner but in Discourse, as Chance and Accident brought us in Company with *English* and *Scottish* Gentlemen, who came upon their Travels or other Occasions to *Paris*, and that lasted but a very short time, the War immediately ensuing upon it; and for Correspondence by Letters after the Business of *Calais*, either from *England* or *Scotland*, I declare (News-Letters excepted) my Lord *Middleton* had none to my Knowledge, and yet I cannot say he mistrusted me in any thing.

After the Death of King *William*, and Her present Majesties Accession to the Crown, I never knew of any formed Design of disturbing Her Majesties Government. That there are restless, inconsiderate and Mad-People amongst them, I am as far from justifying as any Man, and to muffle and bridle these Fools, is a Task too hard for any Man to get the better of: Follies from this kind has happened, and they have been Quasht by my Lord *Middleton* as much as it was in his power to do.

But amongst these, I never knew of any that was likely to come to any height but one, and that for Four or Five Months was kept as much from my Lord *Middleton*'s Knowledge, as it would have been from your Lordships.

One *Frazer*, a *Scotchman*, who gave himself the Title of Lord *Lovat*, after having been Condemned in *Scotland* for the most Infamous Rape that ever was heard of, upon a Lady then Widow to the Lord *Lovat*, and Sister to the Duke of *Atholl*; this Man got an Interest and Acquaintance with some of these Mad-People I have mentioned, and from them it past to an Interest with some of the Court of *France*: This Man I declare I never saw, but his Character given to me was, That he had Wit, a good Genteel Behaviour, very Insinuating; and with all these Advantages gave out a great Trust and Credit from very many of the *Scottish* Nation, particularly from all the *Clans* of the *Highlands*, and said, That they had Impowered him to offer in their Names to bring out Sixteen Thousand Men. All this at last coming to be Discovered to my Lord *Middleton*, he Represented, That to his Knowledge the *Highlands* was not able to bring out Eight Thousand Men; but tho' they were, it was unreasonable to enter upon any Business with a Man by his Crimes so Obnoxious to the Kingdom of *Scotland* in general, and where so many Honourable and Ancient Families were more particularly concerned, but yet more unreasonable with one that had no Credential but his own Assertion.

This Man came from *Paris* in the end of *May* last, and, as I was Informed, to bring back Certificates from the Persons concerned, of what he had said in their Names; and when I came into *Scotland*, I was told, the Government had Notice of his being gone into the *Highlands* of *Scotland*, and some Days after, the Council past an Act of Fire and Sword against him: This the Duke of *Queensberry*, and my Lord *Cromerty*, Secretaries of State for *Scotland*, can best Inform your Lordship of.

Now, my Lord, when I have given you this Relation, perhaps your Lordship, and the Honourable Persons before whom I was Examined yesterday, may think me disingenuous for saying, I knew nothing of any Designs against the Queen or Her Government; for Explanation of which, my Lord, I never thought this a thing that could come to any thing, and only the Proposition of a desperate Man, which never could be entertained, and that my Knowledge of it, came only from being upon the Place; And I do assure your Lordship, there were Persons there that did all they could to break the Undertaking of it, and particularly, that *James Murray*, whom your Lordship named to me yesterday: and this, my Lord, I declare, is all I know that has been Proposed since Her Majesties Accession to the Crown, and with this assurance, That I shall, if Her Majesty be mercifully Pleased to forgive what is past, and allow me to live in *England*, it shall be with that Duty and Obedience, that is becoming the Loyalest and Best of Subjects; And I shall ever Pray for Her Majesties Long Life and Prosperity.

David Lindsay.

David Lindsay's Letter sent to the Earl of Nottingham, December 23. 1703.

N^o X.

From the Gatehouse, 23 Decemb. 1703.

May it please Your Lordship,

Being Conscious of my own Innocence, and at the same time perswaded of your Lordships great Justice, Goodness and Honour, I must conclude, that the trouble I am in, proceeds from Malicious Information; and though I have great reason to believe I could Name the Person, having been served so before at *St. Germain's*, by a Country-man of my own, who is now about this Court, but this I shall forbear, except your Lordship desire it.

I told your Lordship, that I had been Soliciting more than a Twelve-month for the Queens Licence; that I believed my Lords *Staires* had spoken to your Lordship about it, but I forgot to tell you, that both the Secretaries of State for *Scotland* could inform your Lordship, that my Wife had been frequently with them about it. I came afterwards upon the Queens Gracious Indemnity to *Scotland*, and I'm sure never Man came with a purer Intention to receive, and be more thankful for a Pardon, then I did, and I do declare to your Lordship, as in the presence of God Almighty, and as I hope for Salvation at the great Day of Accounts, I neither brought Message or Commission from the late Queen, from my Lord *Middleton*, or from any other Person, Man or Woman in the Kingdom of *France*, Directly or Indirectly, and so consequently could deliver none, either in *Scotland* or *England*: I therefore most humbly beg your Lordship, to take my Condition into your Consideration, and if your Lordship please to accept of Bail for my good Behaviour, I hope I can procure it, and in the mean time, I beg you will have pity of my poor Condition, and allow me the Queens Maintenance in Prison, since my poor Condition cannot bear it, and that my Wife or Children may have liberty to come to see me, for without that I have not so much as the means of Subsistence. I am, my Lord, with great Respect,

Your Lordships most Obedient,
and most Humble Servant,

David Lindsay.

Mr.

Mr. Ferguson's Narrative, Decemb. 27. 1703.

No XII.

AS I could not Escape hearing, that several Persons come from *France* the last Summer, were gone to *Scotland*, and as I supposed for no other End, than the taking the Benefit of Her Majesties Gracious Indemnity, to such of that Nation who should return Home, and oblige themselves to live Peaceably (but of whom I neither see, and much less conversed with any) so I do remember the having been told by Mr. *Clarke*, in the Month either of *May* or of *June* last, that one of that Kingdom represented to me by the said *Clarke*, for a Person of Quality, after some stay in this Town, where he had been Visited by divers, and particularly, by one Mr. *Keith*, was likewise gone thither.

And though his Name was then Concealed from me, yet I was made acquainted, that he was one who had not only many Friends in *Scotland*, but that he reckoned himself secure of being protected by some of the chiefest Men in the Government there.

And that before he went from hence thither, he had Dispatched two Persons North-ward, with Order, that after their having Transacted what he sent them about (which I took to be the obtaining a Pass for him) they should either, both or one of them, return to *Durham*, and abide there, until after Notice from them, he should come to them.

But as I have understood since by Mr. *Clarke*, that this fore-mentioned Person, whom he had Charactered to me for a Man of great Dignity, was no other than *Simon Frazer* Laird of *Beaufort*; so I have learned, that it proceeded from his assuming to himself the Stile and Title of Lord *Lovat*, that *Clarke* gave him out for the Man of Bulk and Grandure that he did.

And I do now farther Recollect the having been also informed by Mr. *Clarke*, how that the aforesaid *Frazer* on his getting as far North as *Durham*, did from thence write back Letters, both to the said *Clarke* and to *Keith*, telling them he was safe, and that all things went well.

Which as it is the whole that I was let into concerning *Frazer*, at his being here in the Summer; so I heard nothing of, or about him after his Arrival in *Scotland*, until it came to be publickly Discourfed, That Her Majesties most Honourable Privy-Council of that Kingdom, on a Discovery made to them of his being there, had issued out an Order for pursuing him with Fire and Sword; but to which Her Majesties then High Commissioner, the Duke of *Queensberry*, and my Lord *Stairs*, would not so far consent and agree as to Subscribe it.

On the hearing whereof, I not only thought my self sufficiently enlightened, who those great Men in the Government there were, of whose protection *Frazer*, previously to his going into *Scotland*, had affirmed himself Assured, but it raised in me a very strong Jealousy, on what Designs, and against whom, *Frazer* was to be Employed and made use of in that Kingdom.

And what I entertained only a Suspicion of then, I grew afterwards into a Moral certainty concerning; but whether upon sufficient Grounds and Motives, I do humbly submit to the Judgments of such as are Unbiaised and Impartial, after their having Perused and Considered what I am here further to Relate.

However, being made Extremely Apprehensive, that there was either some Treasonable Design on foot against Her Majesty and Her Government, or some Malicious Contrivance in Hand, for the ruining of Loyal, as well as of Peaceable Men, and even such as were of the sublimest Rank, both which I judged it my Duty to Discover, if I could; I resolved to be as inquisitive as my Meanness and Circumstances would allow me to be, both after *Frazer's* Conduct, in Case he came hither again, as I was told he would, and likewise after what manner he had behaved himself in *Scotland*, with and in whom his Conversation had been, and his Confidence had seemed chiefly placed, during the time of his being there.

Nor was it long before I was told of *Frazer's* being on the Road to this place; and in the mean time was in a manner Deafened with the noise of a *Scottish* Plot, wherein the Duke of *Arbol*, and divers other Noblemen of that Nation, were said to be Engaged.

The person who informed me of *Frazer's* being on his return for *London*, was Mr. *Clarke*, of which he gave the following Evidence, Namely, That either *Keith* or *Campbell*, or both of them, had been with him, and not only told him of their having received Letters from *Frazer*, concerning his being got safe into *England*, and that he was hasting for *London* with all the Expedition he could; but that they had thereupon desired of him, the said *Clarke*, that in Case he should know of his Arrival here, ere they did, he would immediately give them Intelligence of it.

And accordingly, I was within a few days after made acquainted by the same Mr. *Clarke*, that *Frazer* was come to Town, and that both *Keith* and *Campbell* had been with him.

Which I cannot forbear declaring, its having raised in me a firm Belief, that the said *Frazer* was brought hither, in Order to be an Evidence, and that I should speedily hear of the Duke of *Arbol's* being publickly accused of a Plot, pursuant to the Reports which had been Spread, both about Court and City, of him; and that *Frazer* would be produced as a Witness against him, and that under the said Character, he should take upon him to Depose either of, and concerning Letters sent from *St. Germain's* to the said Duke, or at least of his being spoken of very favourably there, as one being in the Interest of that Court.

And of this for some days, I remained in a manner fully perswaded, and the rather, in that I was told by Mr. *Clarke*, that there was a frequent Correspondence between the Duke of *Queensberry* and *Frazer*, and that the said Correspondence was upheld and carried on by the means of *Campbell*, who went to and fro between them.

Nor am I to Omit, how that during my Continuance under the said Belief, I came to be invited by Mr. *Clarke*, to visit a Gentleman at his House, without being directly told who he was; but though by the frequent Informations given me before, of and concerning *Frazer*, I could not miss concluding it was he, yet I resolved to comply with the Invitation; as not only knowing my self Prepared and Fortified, not to be drawn into any Treasonable Design against Her Majesty, or to become involved in any Conspiracy that might have been formed to the Prejudice, if not the Ruin of Honest and Peaceable Men; but as likewise hoping, that instead of his finding me so Weak, and altogether Silly, as to be imposed upon and Dup'd by him, I might be able to wrest out of him, both on what Contrivances he had been Employed in *Scotland*, and to what purposes he was returning into *France*.

And accordingly I made the Visit desired of me; and as I had more than imagined, I found it to be *Frazer* that I paid it to: Wherein tho' I was not so fully successful, as I had been inclinable to conceive I might; yet I so far wound my self into him, as to gain the Knowledge of those things from and by him, which not only abundantly satisfied me, there had been no Plot carrying on in *Scotland* against Her Majesty and Her Government, but gave me clearer light than I had, as well on what Projections *Frazer* had been employed in that Kingdom, as on what Offices of Service to some, and Diservice to others, he came protected back from thence hither, and had the obtaining a Pass promised unto him (as he told me) for his returning into *France*.

For upon my saying unto him, what a bold Man he was in venturing to *Scotland*, where he knew himself to be Capitally Obnoxious to the Laws, and to have the Duke of *Atboll*, the Duke of *Hamilton*, and many other Persons of the first Quality, as well as of the Inferiour Rank, for his mortal Enemies: He replied unto me, that he had as Potent and Great Friends there, as he had Enemies. At which I not only seeming surprized, but telling him, my thinking it could not be as he had said: He thereupon declared to me, that besides several other noble Friends he had there, how the Duke of *Queensberry* was both his most singular Friend, and his Protector, in a most distinguishing manner; and that as he had both gone to, and returned from *Scotland*, under the Shelter and Safe-guard of his Grace's Pass; so he had been under the same Covert and Defence the whole time he was in that Kingdom, and particularly in his Going to, as well as in his Coming back from the *Highlands*.

Which as it administr'd Occasion to me for asking, Whom he had seen in those Parts, and how he found the *Clans* disposed, either as to the Supporting of Her present Majesty, or the Falling into Measures in Favour of the Prince at *St. Germain's*, towards the Assisting for a Revolution: The whole he thought fit to say to me in way of return, was, That either in his going thither, or in his return from thence, he had spoken with the Earl of *Breadalbin*; and that during his being there, he had conversed with the Laird of *Locheal*, and with divers others, whose Stiles, being more uncouth to me than *Arabick*, I have forgot: But that none of them were inclined to enter into Conspiracies against Her present Majesty and Her Government; only he intimated to me, that divers of the inferiour Sort of People in the *Highlands*, (whom I could no otherwise look upon than as Robbers and *Banditti*) were ready enough to join any Foreign Force that should invade that Kingdom, which I could not avoid silently thinking would be held for a Banter, and a Ridicule upon the Ministers of *Versailles* and *St. Germain's*, should he in Compensation for the Five hundred *Lewis d'Ors*, given him by the Marquis de *Torci*, for Defraying his Expence to and from *Scotland*, and for Bribing the Parliament there, carry it to those Places, as the Sum and Result of his Envoyship and Expedition: It being too well known (without any Disparagement to that Nation) thro' all *Europe*, that as the People of their Understanding and Rank in the *Highlands* were not to be depended upon, without the being called forth by, as well as the Consent of the Heads of their respective Principalities, so that whatsoever Invader they might be forward to join with in the Hope and View of Plunder, they would as soon abandon and desert, whensoever they became loaded with Prey and Spoil.

But as the Duke of *Queensberry* is much better informed of all these things than I, upon an Hours Conversation with *Frazer*, should we have talked *Coeur Ouvert*, as well as *Tête à Tête*, dare pretend to be; so the fore-mentioned Gentleman being the said Duke's Emisary thither, and acting there pursuant to his Instructions, it is not to be doubted but that his Grace has both exacted of, and had an Account from him, of all his Interviews and Transactions in those Parts, and that he has long e're now laid them before Her Majesty. Tho' I cannot forbear blaming his Grace's Conduct in the sending away the Chief, if not the only, Witnesses who should have supported and justified them.

However, as I did not think it convenient, in the short time I was with *Frazer*, to be too Critical in Enquiries after Matters of that kind, lest by giving him a hasty and unseasonable Alarm, I should have not only obviated, but defeated my self in the Resolution, which, upon the few foregoing Intelligences, I had entertained, namely of Penetrating as far as possibly I could into this Mystery of Mischief, as well as of Darkness, by the assistance of such Persons, and the Subserviency of such Means, as I should judge to be the most proper.

Yet, notwithstanding my finding upon the Reason I have assigned, that it was not only impracticable, but unsafe for me to have endeavoured the getting into a full and clear Discovery, by my Conference with *Frazer*, of all the Interviews and Transactions which had been and passed between the Duke of *Queensberry* and him in *Scotland*; nevertheless, I do, with all Humility, assume the Liberty of declaring my Belief, that *Campbell* is able to unfold most of them, and that provided he will be ingenuous, he is capable of laying before the most Honourable Lords of the Council, Things which will as well amaze them, as set all these Things in a Meridian Light.

And therefore waving the insisting on such Matters which do not fall so perfectly as I could wish, within my Knowledge, the next thing I am to relate, is my being Informed by Mr. *Clarke*, That the Duke of *Queensberry* had obtained of the Earl of *Nottingham* a Pass to go beyond Sea for four Persons, under false and sham Names; and that as *Campbell* had brought it from his Grace to the fore-mentioned *Clarke*, so he the said *Clarke* had carried it to *Frazer*: Who, upon Intelligence and Assurance, which the aforesaid Duke had given him of its being procured, was gone down to *Gravesend*; whereupon the presenting it to the proper Officer by *Clarke*, *Frazer* and the other three were, without trouble given unto, or inquiry about them, admitted to go safely on Board in the Virtue of it.

Which as it could not but mightily astonish me, as well that upon my first Thoughts, I apprehended the *Scottish* Plot which had been so much talked of, would be irretrievably blasted, thro' sending away, as I imagined the sole, and alone Evidence of it; so much more, on my second, when I came plainly to discern that instead of a Plot contrived against Her Majesty, and Her Government, whereof the Witnesses could be only found in *Great Britain*, there was a Conspiracy on the Wheel against some of Her Majesties most eminent and best Subjects, of which the Proofs were to be transmitted in a Cloak-Bag from *France* hither, as the Holy Ghost was said to have been from the Pope at *Rome* to the Council at *Trent*.

But as I did not account my self sufficiently furnished by all this, for revealing unto any what I not only conceived, but thought my self in some manner fully apprised of, unless I could get possessed of Evidence which should be held both Legal and Uncontroulable; I determined to wait a few Days, in order to be so undeniably and demonstratively enlightened and confirmed, in what I was to say, as that I might not be Exposed and Lampooned, if not also Ruined.

Which little more than a Week afforded me, thro' my receiving a Letter from Mr. *Frazer* in *Holland*, directed to me under the Style of *Uncle*; and being desired by Mr. *Clarke*, who brought it to me, to return an Answer, I readily undertook to do so, and accordingly did, by the Name of *Ralphson*.

Wherein, as all my Intention and Meaning, was to get into an exact Understanding about what, and with whom, all *Frazer's* Correspondence from hence thither, and his Returns from thence again hither was; so I was no sooner compleatly Master of it, which without my giving an Answer to the fore-mentioned Letter, I could never have been, but that I did by a Friend acquaint his Grace the Duke of *Atboll* with it, humbly beseeching him both to lay it before the Queen, and also to Communicate it to such of Her Majesties Ministers of State, as he should think fit to apply unto, and that he would particularly discover the whole of it to the Right Honourable the Earl of *Nottingham*. And what Services have been done Her Majesty, your Lordships, and the Government, by the Discovery, how Letters to and from *Frazer* might be intercepted, I will not take upon my self to say, but do refer it to the Judgment of those, who have either read them themselves, or have heard them read.

And as I had not the Honour to be known to the Duke of *Atbol* previously thereunto, either *Beneficia* or *Injuria*, save that about Seven Years since, he came, by the late King *William's* Order, to Examine me in *Newgate*, and to tell me, I was to be carried to *Scotland*; which I could put no other Construction upon, than that I was designed to be destroyed there without Law, when by all the Laws of *England*, in which I had lived since the Year 1655. I could not in the least be affected; so from the time of his Grace's coming to me in the forementioned Place, I never so much as see him, save once *Passant*, near the Privy-Garden, and at this Honourable Board on *Thursday* last.

So that what I do now lay before the most Honourable Lords of Her Majesties Council, is neither in Acknowledgment of Favours received from the Duke of *Atboll*, and much less in Revenge against the Duke of *Queensberry*, for the having done me Discourtesies, from whom, as I never met with any, so to the best of my remembrance, I did never see him, unless at this Table, when I was commanded a few Days ago to attend here; but the only Motives on which I do make this Discovery, are the preserving the Safety and Honour of Her Majesty, the preventing those Discontents which this might produce, in the minds of most of Her Majesties Subjects, especially of those in *Scotland*, and for covering the Lives of many Innocent, as well as of divers very Eminent Men.

Rob. Ferguson.

Decemb. 27. 1703.

Captain Macleod's Declaration, January the 4th, 1703.

N^o XIII.

Edinburgh, 28th December, 1703.

Sederunt.

The Earl of *London* Elected President, the Earl of *Northesk*, Earl of *Glasgow*, the Lord President of Session, Lord Register-Advocate, and Justice-Clerk, Mr. *Francis Montgomerie*, Lieutenant-General *Ramsay*, and Sir *Robert Sinclair*, as Committee of Council for Inquiry into Evil Practices, and Practices against the Government.

WHere appeared Captain *Neill Macleod* Prisoner; being interrogat, declared as follows, That being in *Edinburgh* in the Month of *July* last, he received a Letter from Captain *Simon Fraser*, sent by his Servant, who said, his Master and he were come from *Hanover*; whereupon he went and met with Captain *Simon* at *Durham* in *England*, and there Captain *Simon* told him he was come from *France*, and that he had been with the King of *France*, who was very kind to him, and promised to give him a considerable Sum of Money, in order to raise an Insurrection in *Scotland*; but that Sir *Alexander Macleane* of *Otter* getting Notice of it, had told the Queen-Dowager to the late King of *England*, and that Captain *Simon* was not a Man to be intrusted with such a Sum of Money; whereupon the said Queen-Dowager went to the King of *France*, and put a stop to the giving of the said Money: But that the said King ordered him a Sum to bear his Charges, and that the Declarant saw Captain *Simon* have both Gold and Silver to the Value of about 40 or 50 *l.* Sterling, which he said he got from the *French* King; and that Captain *Simon* told him, there was a Correspondence betwixt *St. Germain* in *France* and *Scotland*; and that the same was kept with the Duke of *Atboll*, the Duke of *Hamilton*, and the Earl of *Cromarty*; and that the said Intelligence was kept up for the Earl of *Cromarty* by one *Mackenzie* at *Paris*, whom he had caused to be put in Prison. And the Declarant being interrogat, If Captain *Simon* gave him any reason of his Knowledge of the said Correspondence, or wherefore he caused the said *Mackenzie* to be imprisoned in *France*, for keeping the said Intelligence? He said, that the Captain told him no more, save as above: But that he also told him, an Invasion from *France* was designed, and that very quickly: And that he was sent Home with Encouragement from the King of *France* to procure an Insurrection, and Promises were made to him of both Men, Money and Arms; but that it was expected he should first bring an Assurance in Writing from *Scotland*, for which ends he was going to the North to speak with Friends: And one Captain *John Murray*, Brother to *Abercarine*, was sent along with him from *France*, to be an Assistant and Witness to his Behaviour; And that the said Captain *John Murray* and Capt. *Patrick Graham* came with him from *France*; But that Captain *John Murray* and Captain *Graham* were gone into *Scotland*, before the Declarant did meet with Captain *Simon* at *Durham*. And the Declarant being interrogat, If Captain *Simon* told him what Number of Men, or Quantities of Money or Arms, were promised, or where and when, and in what manner the Descent should be? Declareth, That Captain *Simon* told him no more, but as above; and Captain *Simon* being desirous to speak with the Earl of *Leven*, sent a Letter to the Earl, and another to the late Duke of *Argyle*, by his Servant: And that the Declarant, and Major *Frazer*, who came along with Captain *Simon*, and the said Servant,

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came together to *Edinburgh*, and the Letter was delivered to the Earl of *Leven*: But the Earl saying he could give no Answer till he spoke to the Commissioner, the Servant went away, and Major *Frazer* stayed for the Answer. He also declares, that by Captain *Simon's* Order, he told the Earl of *Leven* that he wanted Money: And the Earl answered, that if Captain *Simon* would make any Discovery for the Service of the Government, he would speak to the Commissioner to give him some Money on the Queen's Account. And thereafter the Declarant, and Captain *John Murray*, after some days Attendance, went with *Glenderall* in Company, and delivered the Earl's return to Captain *Simon* at the Kirk of *Shotts*, as he was returning from *Argyleshire*, where he said he had been, and had left Major *Frazer* there. And then the Declarant also told him, That the Duke of *Argyle* could not meet with him until he returned from *Chartoun*; and that Captain *Simon* went again to meet with the Duke of *Argyle*, and met him at *Outter-Haughhead*. And the Declarant being interrogat, If he had seen or knew the Contents of the Earl of *Leven's* Letter, to Captain *Simon*? declared he knew them not; but that he being returned to *Edinburgh*, went thereafter with Captain *Simon's* Brother, and the said Captain *John Murray*, and met Captain *Simon* and Major *Frazer* at *Redpath*, 3 or 4 Miles beyond *Lauder*, where some of them stayed with him four or five days. But the Declarant came back the next day, and Captain *John Murray*, and Captain *Simon* appointed to meet at the House of *Stuart* of *Appin*; like as *John Murray* told him thereafter, That he came to *Appin*, and met both Captain *Simon* and *Appin*: But that *Appin* was gone away half an hour before to meet with *Lockzeell*, and that Captain *Murray* followed, and overtook them, and they both went, and met with Old *Lockzeell* at a Ferry-side, and stayed with him all night: But the Declarant having in that time returned to *Edinburgh*, got a Pass from the Commissioner to Captain *Simon*, and went and met him with it at a Place about three Miles to the South of the Kirk of *Shotts*; and then Captain *Simon* came to *Edinburgh* towards the End of *September*, and was with the Earl of *Leven*, and with the Commissioner: But the Declarant was not present at their meeting, nor knows what past: But Captain *Simon* going again to the *Highlands*, the Declarant got from the Commissioner 200 *l.* Sterling in Bank-Notes, whereof he turned a part into Gold at the Bank-Office, and with the Gold and Money went beyond *Sterling* to *Balbadie's*, and Captain *John Murray* with him, where they Dined at *Balbadie's* House; after which he did not see Captain *John Murray*, and that he got the said 200 *l.* from the Commissioner some Days before his Grace parted for *England*: And declares that Captain *Simon* told him, that while in the *Highlands*, he had met with *Lockzeell* older and younger, and *Appin*, and with one called the Laird of *Mackgreiger*; and they gave him all Incouragement for an Invasion, and *Appin* promised several thousands of Men: And that it was said to him, that *Glengerie* was to be sent to *France* by the Duke of *Hamilton*, and the Duke of *Atholl*, and others of that Faction. And the Declarant being Interrogat, If Captain *Simon* gave him any reason of his Knowledge? Declares, He gave him none, but that he heard it in the *Highlands*: And farther declares, that Captain *Simon* was to go from *Balbadie's*, to meet with the Lord *Drummond* at *Castell-Drummond*; and that when he, the Declarant, was returning from *Balbadie's*, he met with the Lord *Drummond* upon the Road, and told him of Captain *Simon's* going to meet with him. And the Lord *Drummond*, said he would send a Footman to advertize him of his coming; That when Captain *Simon* was returned to *Edinburgh*, after the Commissioner was gone, he told the Declarant he had been with the Lord *Drummond*, and that thereafter he went and saw the Earl of *Breadalbin*; and being interrogat if he saw any other Person there, and what had past betwixt them, declares, that Captain said he saw none else, except Servants, and that he told him not what past betwixt the said Lord *Drummond* and him: But said, that *Breadalbin* refused to meddle, but would wait, and see how Matters went: That about Ten Days after the Commissioner was gone, Captain *Simon* went to *England*, and the Declarant went with him; and that Major *Frazer* did also go away with him: That at parting Captain *Simon* settled a Correspondence with the Declarant, how they should write to one another; and that Captain *Simon* should address his Letters to him, by addressing them to Major *Corbatt*, with a particular Mark, by which he was to take them up at the Post-Office, as he did, without acquainting Major *Corbatt*; but he received only one Letter, which he had not; but that it contained nothing, save that Captain *Simon* was going for *Holland*; and they also agreed that the Declarant should write to Captain *Simon*, by directing to Mr. *Tho. Clarke* Apothecary in *Watling-street, London*, and that he had only wrote one to Captain *Simon* about his private Affairs: That Captain *Simon* told him also at parting, That the Duke of *Atholl* and Duke of *Hamilton*, had dispatched Captain *James Murray*, Brother to the Laird of *Stenboppe*, to the Court of *France*, to discredit Captain *Simon*. And Captain *Simon* also told him, That he had brought a Letter from Queen-Dowager to the Duke of *Gordon*, which he delivered to Captain *John Murray*; who told him the Declarant, he had delivered it to the Duke; but the Duke refused to see, or speak with Captain *Simon*. The Declarant did further affirm, That when Captain *Simon* stayed in *Edinburgh*, some days before his going to *England*, he stayed in his House, and that *Glenderall* did frequently visit him, and he hath reason to believe that *Glenderall* knows as much of Captain *Simon's* Affairs in *Scotland*, or elsewhere, as he doth. He also adds, That Captain *John Murray* did likewise several times visit Captain *Simon* at his House; and that Captain *John* told the Declarant, that he had Letters from Captain *Simon* for the Countesses of *Erroll* and *Seaforth*, and that he had delivered the Letters to the Countess of *Erroll*: But that the young Countess of *Seaforth* was at that time in the North; and Captain *John Murray* could not tell whether these Letters were from Captain *Simon* himself, or only committed to his trust. The Declarant further adds, That Captain *Simon* told him, that when he was with *Lockzeell* and *Appin*, they told him that there was a Design to send *Allan Camron*, *Lockzeell's* Son, who is Lieutenant to Captain *Grant*, to the Court of *France*, to give an Account of the Condition of Matters in *Scotland*. And this Declaration, written on this and the two preceding Pages, the said Captain *Neill Macleod* declares to be the Truth, and that he is ready to affirm the same by his great Oath, when he shall be required.

Subscribitur, *Neill Macleod.*

Loudon J. P. D.

By Order of the Lords of Her Majesties Privy-Council, this is attested to be a true Copy of Captain *Neill Macleod's* Declaration, By

Lauderdale.

Duke

Duke of Queensberry's Paper, delivered to Her Majesty,
 Jan. 14th 1703.

N^o XIV.

When the Duke of *Queensberry* went into *Scotland* last Summer, as Her Majesties Commissioner, amongst other things, he was Ordered to spare neither Money nor Pains, to Discover any ill Designs that might be in *Scotland* against Her Majesties Government. Soon after the Meeting of the Parliament, the Earl of *Nottingham* and Sir *Charles Hedges*, by the Queens Order, sent to the Duke of *Queensberry* a Copy of a Letter from Mr. *Stanhope* to them, by which it appeared, That great Sums of Money had been remitted out of *France* to *Amsterdam* and *Lisle*, to be remitted from thence to *Scotland* and *Ireland*, mentioning the Persons to whom the Money was payable.

About this time there was a Letter wrote by an Officer of the Garison of *Fort-William* or *Inverlochy* to the Governor, who was then at *Edinburgh*, telling him, That the *Highlanders* were to draw together, upon a Pretence of a Hunting, upon the Second Day of *August*, and that several great Men were to be present; and that one of the Chieftains of the Clans had Ordered Six Hundred of his Men in Arms, and had provided Clothes for them, so as all the Six Hundred should be in the same Livery: Which Letter was sent to Mr. *Nairne*, Secretary-Depute for *Scotland*, and is now in his Hands.

About the same time there came over a Multitude of Officers from *France*, pretending the Benefit of a general Indemnity, which had been Granted by Her Majesty several Months before; upon which many Persons, well-affected to the Government, were Alarmed, and believed they came on ill Designs; and there were several other Letters intercepted about that time, which increased the Suspicion.

Some time thereafter, the Duke of *Argyle*, and the Earl of *Leven*, told the Duke of *Queensberry*, That there was a Person come from *France*, who was willing to make great Discoveries, providing that he got his Pardon, and some Establishment for a Maintenance, and that his name should be kept secret till these were obtained.

This was Captain *Frazer* of *Beaufort*, a Man unknown to the Duke of *Queensberry*, and with whom he had never Converged before; He knew that he was found Guilty of a Rape, which made him so earnest for his Pardon.

The Duke told them, He would not promise him a Pardon; but considering the Dangerous Appearances of Affairs in *Scotland* at that time, and of what Importance a Discovery might be, he assured these Lords, That if *Frazer* would make any Valuable Discovery, he should have Money to Substist him in the mean time; and that his name should not be Revealed, except to the Queen, if She Required it.

Frazer, to Convince the Duke of *Queensberry*, and these Lords, of the Sincerity of his Intentions, gave an Information, which was put in Writing, and Transmitted by the Duke of *Queensberry* to the Queen, in a Letter, in which he plainly declared, He could not Answer for the Faith or Reputation of the Informer; and had Her Majesties Return, Approving what he had done, and Allowing him to Proceed.

A little after, upon Representation that *Frazer's* Money was Spent, the Commissioner sent him 200 l. Sterling, which was carried by Captain *Macleod*, to whom the Duke never spoke, either before or since, and was brought only then to him to Receive the Money.

The Duke was Informed of some other Particulars by *Frazer*, which he Communicated to the Queen in another Letter, and that he had Advanced Money to him.

Frazer Ingaged to be at *London* about the same time the Duke should Arrive there, and said, That he could make the Journey sooner, and that he would imploy that time, in finding out some more Intelligence from these Persons, who had come lately over from *France*, and that he would Acquaint the Duke with all he could Discover, when he came to *London*, and offered to run the Hazard of returning to *France*, to make farther Discoveries.

When *Frazer* came to *London*, he told the Duke, That he had been in *Argyle-shire* to speak with some of his Friends, in relation to Discoveries; but of his Design of going to any part of the *Highlands*, or of his having been there, the Duke was wholly ignorant, till he came to *London*.

He said, That he had Discovered, that there were Returns to be made from several Persons in *Scotland*, to the Messages they had from *France*, and that these Returns were to be made by Captain *James Murray*, or the Laird of *Glengaire*, or both; and that he heard these Informations came from *Gideon Murray*, but did not mention one word of Captain *John Murray*. He desired the Duke of *Queensberry* to trust *Campbell* of *Glendarowell* in any thing that concerned him; with whom the Duke had never spoke before his last coming to *London*; but he seemed to be very Zealous to make his Cousin *Frazer* do all he could for the Queens Service, and considering his Education, as a Protestant, and his Post in the Army, the Duke did not doubt his Sincerity.

The Duke Communicated to the Earl of *Nottingham* *Frazer's* Informations, without Naming the Persons; and told him, That he was willing to go again into *France*, to make farther Discoveries, in relation to the Returns from *Scotland*, and the Resolutions in *France*; and it was his Lordships Opinion, That the Person might be more useful in *France* than here.

Frazer appeared most hearty and forward to make farther Discoveries, and renewed the offer he had made formerly of Returning to *France*, and there to do great Service for the Government, by finding out what Returns had been made from *Scotland*; and said, He believed he might be Master of the Original Papers, and that he would Return, and Discover the Resolutions that should be taken in *France*, upon the Answers from *Scotland*; and that he would do such things for Her Majesties Service, as should deserve Her Pardon, and an Establishment for his own Substistence; which induced the Duke of *Queensberry* to let him go, considering, that there was then no Eyidence to concur with his Discovery, and that the Testimony of such a single Witness could not be Regarded, nor Measures taken upon it. And at that time Sir *John Maclean* was not Apprehended, who makes *Frazer* a Person far more Considerable than he was believed to be: For tho' he had said great Things of his own Interest and Credit in *France*, yet that appeared either Vanity, being Supported by nothing but his own Assertion, or that he magnified his Interest there, to make his Terms better here: And in these Circumstances he appeared of little use to us; whereas, if he had been Sincere in what he proposed, he might have done great Service to the Government, by the Discoveries, he said, he was able to make in *France*.

*The Duke of Queensberry's Paper, Jan. 10th 1703.*N^o XV.

HE said, That being under the Lash of the Law here, and his Circumstances desperate, he found himself obliged to try his Fortune in *France*, and having offered his Service to the late Queen and her Son, after some time she told him, That she would trust him, and take care of him. He asked to whom he should apply himself, for it was not fit upon all Occasions to trouble her Majesty. She told him, That she was not very confident of all the Servants that were about her, and that my Lord Middleton, was not very well with the *French* Court at that time, but that she would recommend him to the Pope's Nuncio, who could introduce him to M. de Torci, that accordingly he had access to the Pope's Nuncio, and gave the best Account he could of his Interest here, and made some Proposals for Advancing the P. of Wales's Service, which the Nuncio relished well, became favourable to him, and introduced him to M. de Torci, with whom he had several Conversations in Relation to the Affairs of *Scotland*, and was brought by him to the *French* King's Closet, where that King discoursed with him before M. de Torci; and afterwards he had an Audience of the *French* King in his Closet alone, and spoke fully to him. He pretends to have Marks of great Favour and Confidence, and to be at the Bottom of all that was projected against the Government here, and says, That in *France* they did expect that this Countrey should have been in Arms before now, and that he was made a Major-General, in order to his coming over for that end; and that all the other Officers came upon the like Occasion, for D. H. had undertaken to get the Parliament broke here soon after its Meeting, and to draw to the Fields about this time in the Summer. He says, That D. H. was to be the chief Man of the Party, tho' he believes that either the Earls of *Marshall* or *Hume* are more trusted at *St. Germain's*, than the D. of H. because that D. had sometimes before failed them, and they have still thoughts, that he may have some Design to set up for himself; however of late they have given Orders to all their Friends here, to obey him in every thing, and to take no Notice of the different Appearances he might make. He says, That D. H's Terms were to be D. of *Chat*, and since the Estate that belonged to that Dutchy was otherwise disposed of, a considerable Pension Equivalent to the Value of the Estate, was to be settled upon him; he was also to have the Command of the *Gens d'Arms Ecoffois*, and to be made General of all the Forces of this Kingdom. He says, That there was some Debate about the Command of Wardenhip of the Borders betwixt *Scotland* and *England*; for the D. of H. would have the Command of the whole Borders; they were willing to grant him that part towards *Carlisle*, which lies nearest to his Interest both in *Lancashire* and in this Kingdom; but that the Command of the Borders towards *Berwick*, was thought most proper for the Earl of *Hume*, and does not know if that Matter be yet adjusted. He says, That the *French* King did refuse to send Forces into *Scotland*, as he was desired, but was willing to send what Money they could require, for he could venture that, but could not be sure to get his Men again. He says, The Money is ready, but believes little is as yet transmitted. For they did demand it presently, but the *French* King desires that there should first be a Rising in Arms.

He says, That the *French* King and M. de Torci were the more unwilling to send Troops here at present, because the Fleet was in no good Condition, but that in a Season or two they hope to be Masters of the Sea, and would then invade these Islands, and that they spare no Expence to prepare a great Fleet; that they had now, as he was told, about 30000 Men at work on the Fleet, that they were very confident of the Success of the P. of Wales's Affairs in *Scotland*, that they did consider the young Gentleman was grown up, and that it would be long before the Queen would be an Old Woman; that they would not stay for Her Death. He says, He is a Protestant, and has some trouble in his mind about Popery, and what may fall out to his Native Countrey; but that the Necessity of his Affairs have carried him to the Course he has taken: That he has been considered as capable to do the *French* Court and the P. of Wales Service here. He received Money in *France* for his Journey, and is sure that the *French* King will not spare his Money in our Affairs. That he found those who did not own the last Government, were come into the Parliament, and were resolved to have served the Queen and wait the Event; but now they were directed to follow D. H. wholly, and endeavour to break the Parliament; and that they make their Interests to raise the Countrey in Arms.

* Who afterwards he explained to be Captain Ja Murray, Brother to Sir David Murray of Stanhope.

He says, That these Advices were sent with a Person* that came from *France*, about the same time when he came, which is about a Month ago: That it was not thought fit to Charge him with them, because he durst not yet trust himself with D. H. because of the close Connexion between him and his most Avow'd Enemies. He says, That the Earl of *Perth* keeps Correspondence with some in the Queen's Government here, and that many of the Great Men of this Nation, and some in the Queen's Service, were making up their Peace at *Versailles* and *St. Germain's*; He says, before he came away, one Mr. Mackenzie was to be sent Express with Letters from my Lord *Perth*, and others, to some Persons here. That he reckoned the Person to be his Enemy, and lest he should have discovered his coming over, he acquainted M. de Torci, that such a Man was to be sent by my Lord *Perth* with Dispatches to *Scotland*, without the Participation of the *French* Court, which he thought was wrong; upon which Mr. Mackenzie was presently put into the *Bastile*, and was still there when he came away.

*Frazer's Letter to the Duke of Queensberry.*N^o XVI.

S I R,

I Give you the trouble of this Line, to let you know that we are come safe here, and that your Goods are here safe; I will have a most dangerous Journey before I come to my Garrison, for all the Roads are full of Party Bleaus and Partisans; and the *French* insult now, because of their last Victory at *Spire*. It is certain that we were routed there. We are in hopes that the Duke of *Savoy* will hold out till he can

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be relieved by his Allies, though we know perfectly, that the Duke of *Vendosme* is within four Leagues of *Turin*, and has all *Piedmont* under Contribution: What I told you of your chief *Scots* Ministers, having constant Correspondence with *France*, is too true; I had it Confirmed to me by one of *Ta.* his own Relations, who is employed in the Ambassage; he told me plainly that *Atholl* and *Ta.* were resolved to call home the King. He having discovered himself very soon to be a *Jacobite*; I convinced him I was one too, and to this Hour, he does not know what I am, otherwise 'twould be very dangerous for me. I extoll'd *Atholl* and *Tarbat* to him, and their Party, which wrought so well with him, that I plainly saw all his Intrals; he is a Cousin-German of *Tar.* come from *Oxford*, and going to Study the Law at *Utrecht*; his Father is a Man of Estate, and a Parliament-Man for the Shire of *Ross*; he has no great Sence, and is but Young, and I think unfit for such an Intreague, but he is *Ta.* nearest Relation, and a Zealous *Jacobite*, and that makes them trust him: *en fin*, he gave me Demonstrations of their Correspondence with *France* and *St. Germans*, he came over with me in the same Ship, and when I was afraid to be known by him, he began on his Loyal Theme, which I entertained with a great deal of Passion; and in giving Account of their Power in *Scotland*, he gave a whole hours Discourse of my self, so that I was Obliged to set my Patience and Wit at Work, in entertaining a Story of my self. Sir, You know what a Demonstration I gave you before of *Atholl* and *Ta.* Knavery, if after all this, the great Person you have to do with, does not believe it, I conclude they are Insaunate, and that it is of no use to tell them any thing, though never so plain. What Service I did was upon your Account, for I owed none to their height of Cruelty against me; but I bless God, I am now out of their reach; and I do assure you, if I can, they will not Sir *John Fenwick* me. So, Dear Sir, without you can do effectually for me, let me ly Dead till I can do for my self, and then they will find to their Cost, that what I told is true. Trust the Bearer intirely, and I beg you do for him; he is engaged for me, which I hope you will assist him in, if 'tis not inconvenient to you; if it is, I rather suffer than that you should be much troubled by me. I have found a way here, how I may Correspond with you; but if you do not things effectually for your self and me, I beg you may not Command me to Write to you; for if your great Friend do not do me Justice, I will not in any Degree serve him farther then I have done already, and I will endeavour to get my self Redressed effectually another way. I intreat I may have a Line from you, to let me know how Matters go, I hope you will Pardon this long Letter, since 'tis the last I can Write to you, while I am in this Country, for I design to go out of it to Morrow. If you give your Letter to the Bearer, he will send it safe to me. I am, in Sincerity,

R.terdam 29 Novemb. 1703.

Smeaton's Letter to Mr. Moncrife.

Nº XVII.

[Note, By Smeaton, is meant Frazer, and by Moncrife, is meant Campbell.]

My Dearest Cus.

Paris the 8 of Jan. 1704.

I Am very much Confounded at the Receipt of your Letter; I wish you had been more particular: I received at the same time a kind Letter from Mr. *Keith*, with intelligence of all that past at your Court. I can hardly believe that he can be such a Monster of Nature, as to Swear perpetual Friendship to me, to Swear Eternal Faithfulness to the King, and to tell me, that his only design of being great with *Ath.* was to get him the Deputy-Secretarys place, of purpose to send us Account of all the Motions of that Court; and that he knew that his Father, and all his near Relations, are engaged with us; that in the mean time, to serve a private end of his own, that is, to be revenged of my Friend, that he should Sacrifice his Honour and Conscience, and offer to ruin my Master's Interest, to which he swore Fidelity, and to Ruine me, to whom he swore perpetual Friendship: I cannot for my part comprehend how a Man can be guilty of such a gross Villany. I must own, and I do acknowledge my self mightily in the wrong to my great Friend, for not telling him, that I did Converse with *Keith*; it was to save my word of Honour, which I gave him, that I should not tell it. I could not shun seeing of him, because his Uncle wrote of me to him: But, by all that's good, I made only use of seeing of him to do my good Friend service, by knowing the minds of his Enemies and mine, which I still told him: But let him be as much Devil as he can, my good Friend may make my Converse rather useful, than hurtful to him and his Friends, because his end was to gain me, or get Intelligence from me, and either was better service than his Enemies can do this Year. *Keith* cannot say for his Soul, but I always told him, that my great Friend, was an Obstinate Enemy to my Master here, and all his Party, which I oft Regreted, and which he still cursed them for. All the hurt of his Designs must be only to me here; but I hope I am so Established here, with the first Degree of People, that all my Enemies cannot wrong me; and if I cannot do my Friends service there, I will endeavour to do it here, if the guise turn. I have what my great Friend thought secur'd, but I believe it will be of no use now: However, let me know if I am lost with my great Friend or not, for if he and my Old Friend *L.* dislike me, I never will go to *Scotland*, till my Master goes home, which will be in spite of all his Foes. I beg you let me know what is past in all, and how my good Friends are inclined towards me, since this fatal Blow; they will certainly think me a Fool, but I am sure a true Friend of theirs. Tell me what your Brother does. I am still,

Your Affectionate Cus.

and True Friend,

Jo. Smeaton.

Upon Reading this Day in the House several Papers relating to the Conspiracy in Scotland, It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Gentleman-Usher of the Black-Rod Attending this House, his Deputy, or Deputies do forthwith Attach the Body of Robert Ferguson, and keep him in safe Custody, until farther Order of this House, and that no Person be suffered to speak with him : And this shall be a sufficient Warrant on that behalf.

To the Gentleman-Usher of the Black-Rod, Attending this House, his Deputy and Deputies, and every of them.

Then the Papers delivered into this House the First of February Instant, relating to the Scottish Conspiracy, were read, as follows :

Mr. Keith's Letter to the Earl of Nottingham.

My Lord,

THE Circumstances of my private Affairs do at present straighten me to that degree, that were it worth your Lordship's Hearing, the very Relation would be some kind of Apology for this Trouble, to a Person of your Lordships Justice and Goodness ; but since that is not proper, the next best I can make use of, is not to detain you with a long Narration, but simply to beg, that after your Lordship has Revised the Inclosed Papers, and made your Judgment of them, whether they be such as can properly be laid before the Council, for their Lordships Information, as well as the Relief of their Petitioner, That then your Lordship would have the Goodness to use them as you shall think fit, for obtaining the Humble Request of,

My Lord,

*Your Lordship's most Humble,
and most Obedient Servant,*

Decemb. 23.
1703.

Will. Keith.

Mr. Keith's Petition and Declaration.

To the most Honourable the Lords of Her Majesties Cabinet-Council.

The Humble Petition and Representation of William Keith Esq,

Sheweth,

THAT your Lordships Petitioner having been Called and Questioned before your Lordships concerning very abominable Practices, whereof he is not only innocent, but absolutely ignorant,

Humbly begs Leave to lay before your Lordships the Declaration herewith subjoyned, which your Petitioner, under a very close Confinement, hath drawn up for your Lordships more distinct and particular Information, at one View, of all that he knows, and wherewith alone he can be justly Charged, patiently waiting for a Vindication of his True Loyalty and Affection to Her Majesty and the Government, as well from your Lordships Impartial Enquiry and Justice in this Matter, as from the Truth it self.

That tho' your Petitioner be ready to submit with all Cheerfulness, to whatsoever your Lordships shall think fit to order concerning his farther Confinement or Liberty, yet he hopes it will be thought no Breach of his Submission and Duty, humbly to represent to your Lordships Goodness and Charitable Consideration, That this, the only Confinement ever he was under, is not only like to prove very Prejudicial to his weak Constitution of Health, but also fatal to a little private Business of his own, that was to be perfected this Christmas, upon which his future small Fortune and Estate in the World altogether depends, and which will be utterly ruined and lost to him, without your Lordships special Goodness and Consideration.

May it therefore please your Lordships, with Goodness and Compassion, as well as Justice, to take under your Consideration the Case of your Humble Petitioner, with all its unfortunate Circumstances, and to Release him from his present Confinement, as soon as in your Lordships Wisdom and Justice you shall think fit.

And your Petitioner shall ever Pray, &c.

To

To the most Honourable the Lords of Her Majesties Cabinet-Council.

The Declaration of William Keith Esq; of all that he knows in Relation to Captain Frazer, or any other Matters upon which he has been Questioned.

I. That the said *William Keith* was two several times with the said Captain *Frazer*, once at his Lodgings, and once at the Tavern, is truth.

II. The said *Frazer* having sent for him by a Note, without any Name or Subscription, he does declare, That until he was in the Room with the said *Frazer*, he did not know who he was to meet with, or who had sent for him.

III. That the said *Frazer* taking him aside to a Corner of the Room, made an Apology for this Message to Mr. *Keith*, whom he acknowledged he had no Acquaintance of; but hearing, That Mr. *Keith* had some Interest with the Duke of *Atboll*, whom he had Unfortunately Disobliged, and finding that his Miserable and Pitiful Condition was no other way Retrieveable, but by a Reconciliation with the said Duke, he hoped, That Mr. *Keith* would have the Goodness and Charity to Intercede for him with his Grace the Duke of *Atboll*, and endeavour to Commence a Correspondence betwixt them; which Mr. *Keith* absolutely refusing, he then said to Mr. *Keith*, That he was in his Power, but hoped, that he would not Discover him, and betray his Life. To which Mr. *Keith* Answered, That he was sorry he had seen him; but however, that to be an Informer against Mens Lives, was none of his Business: Which Mr. *Keith* declares was all that passed the first Meeting.

IV. Some Days after, he said *Frazer* sent another Message to Mr. *Keith*, begging earnestly that he would come and speak one word with him at the Tavern; which Mr. *Keith* complied with, being to go that Day to the City about other Business of his own: and when he came, all that *Frazer's* Request amounted to, was, That Mr. *Keith* would Advise him, or put him upon some Method of getting a Conference or Correspondence with the Duke of *Atboll*; which Mr. *Keith* not only refused also, but told him positively, He would not see him any more. Upon which *Frazer* Saluted him, and asked his Commands for *Holland*: Adding, That since he could not Secure himself, neither in *Scotland* nor *England*, he must fly to a Common-Wealth. Upon which Mr. *Keith* asked him, When he had been in *Scotland*? He answered, That he was but lately come from thence. Upon which Mr. *Keith* asked him farther, If in *Scotland* he had heard any thing of Emissaries from *France*, or Plotting against the Government, as was Surmised here by some People? He declared to the contrary, That he had never heard of any such thing; nor did he much concern himself with any News, while his own Circumstances were so Miserable. After which Mr. *Keith* left him, and does declare, That this is the whole truth and import of his Meeting with the said Captain *Frazer*. All which Mr. *Keith* voluntarily came and Communicated to the Duke of *Atbol*, and the Earl of *Nottingham*, upon the happy Discovery of the said *Frazer's* Villany and Behaviour.

And finally, Mr. *Keith* does declare, That whatever Sinistrous Practices or Intentions to Disturb the Peace and Quiet of Her Majesties Happy Government may be Charged upon Captain *Frazer*, or any Man else, they are not only altogether inconsistent with Mr. *Keith's* Knowledge, but contradictory to his known Principles, Inclinations and Interest.

Whatever therefore is, or shall be, alledged to the contrary of this Declaration, either adding to, or taking from the same, in the least Article thereof, Mr. *Keith* doth justly affirm, and will maintain it to be a manifest untruth and falshood, as is particularly that Horrible Contrivance of Letters against him; as also, its being alledged or asserted, That ever he received a Letter from any Man under the Name of *Hill*; or that ever he had a thought of Corresponding, either by Word or Writ, with any Man Disaffected to the present Government, or that bare any such Character, as does that Monster, whose Insatiable Malice has been the Cause, or Instrument at least, of all this Villany and Contrivance against Mr. *Keith*, tho' perhaps it has had a farther Prospect.

Lord Advocate's Letter.

My Lord,

Cess. 25 Dec. 1703.

Since my last, I have Examined Mr. *Macleod* on all the Interrogatories, and have also had him before the Committee, and this Morning his Papers were searched. In his Examinations he hath made farther Discoveries of an intended Invasion, and what *Simon* told him of the Incouragements he had from *France*; and how he was to ply his Friends in the North; and get from them the Assurances the French Court Required; and how he had been in the North, and spoke with *Lochiel* and *Appin*, and that they minded to send *Glengarie* to *France*, in the Name of very considerable Persons; and how, upon his Return, he saw the Commissioner and *Leven*, and that Money, 200 l. was given him, and he settled a Correspondence with Mr. *Macleod*; but because we were not satisfied he had told all, the Committee would not close his Examination, but in respect of his Indisposition, and that his Papers might be first seen, Adjourned him till *Munday* only. I made a Note of all his Confession, as my Lord Justice-Clerk hath done; and I suppose he will send your Lordship his; but I forbear till the Examination be closed on *Munday*, because now that his Papers are seen, and that we have got Letters, that make out a close Correspondence betwixt him and *Beaufort* in the Year 1702. and that I hear he is minded to Write and be very ingenuous, I am hopeful to have a full Account of all he can say, which shall be transmitted under his hand by an Express. It is also Ordered, That the Two *Lochiels* and *Appin* be Secured, and that Major *Frazer* and the Two *Murrays* be searched for. Your Lordship will be Informed of what else has pass'd by my Lord Justice-Clerk, till you have the Committees full Account. And I only give you the trouble of this Line, that Her Majesty may know, nothing

nothing is omitted to Discover and Defeat this Plot, that is in our Power : For tho' I know *Simon*, and all his Party, yet as we are Circumstantiat, both Weak and Divided, nothing should be omitted to prevent our Danger ; and I hope Her Majesty, and Ministers here, apprehend it as it deserves. I am,

My Lord,

Your Lordship's most Humble,
and most Obedient Servant,

Ja. Stuart.

For Her Majesties Service.

To the Right Honourable the Earl of Nottingham, Principal
Secretary of State.

Whitehall.

With a Bag of Papers.

Right Honourable S I R,

May it Please your Lordship,

Yesterday, about Four in the Afternoon, Sir *John Maclean*, of the Kingdom of *Scotland*, Baronet, his Lady, her Sister, and his Two Children, and Three Servants, and Five others here under-named, were Landed from *Calais*, out of a *Folkestone* Fisher-Boat, that for some time had lain there as a Prize, as by a Copy of the Masters Examination inclosed, your Lordship may be pleased to understand. I was present at their coming ashore, and took Care to have them Secured, and they shall remain in Custody here, until your Lordship's Pleasure concerning them shall be known. What Letters and Papers they had, I have herewith sent unto your Lordship, and shall Act as your Honour shall Direct.

Dated at Folkestone,
under the Seal of the
Office of Mayoralty,
this 9th Day of No-
vember, 1703.

My Lord,

Your Lordships most Dutiful,
and most Obedient Servant,

John Jordan, Mayor.

Sir *John Maclean*, Bar. his Lady, and his Two Children. Mrs. *Frances Foske*. Mr. *Forrest Ashfield*.
Alexander Macphason. Sir and his Wife, said to be Sir *John's* Servants.
Mr. *Edmond Johnson*. Mr. *Richard Barker*, and Robert *Pulinger* his Man. Mrs. *Mary Busby*.

Earl of Cromerty's Letter to the Earl of Nottingham.

My Lord,

I Received this inclos'd Letter from Sir *John Maclean*, I indeavoured to have waited upon your Lordship thrice since I received it, that I might have told you how he, being a young Child in Nonage, was Ingag'd with the Lord *Dundee*, and since has past his time very ill, and apparently is now desirous to become a good Subject, else he would not be so desirous of coming into your hands. What he expects, is, To be brought up hither ; and since 'tis upon a Voluntary Delivery of himself, I presume he will meet with a suitable Treatment. I know not who brought his Letter to me, nor how to send him a Return. 'Tis likely, by what he writes, that he is a Prisoner, and desires not to be Releas'd till he see your Lordship ; and until he come, I can give you no more trouble concerning him. I am,

Whitehall, Nov. 13th,
1703.

My Lord,

Your Lordships
Most Obedient humble Servant,

Cromerty.

Memorandum, There were
several other Papers deliver-
ed in, which not relating to
the Conspiracy, the Lords
above it not fit to be inserted.

D

A Nar-

A Narrative by Mr. Mackenzie, given in to the Earl of Nottingham, Secretary of State.

MY Father sent me to *Oxford* to prosecute my Studies, and there he continued me a Year and some few Months. I came from it about the Middle of *October* last; and when the Earl of *Cromerty* came for *London* I waited on him, according to my Father's Order, to be advis'd by him (I being to go to *Holland*) what Studies I was to follow, and what time I should stay there. Accordingly my Lord gave me his Advice, and desired me to wait for the Convoys going back, which came over with the Duke of *Marlbrough*; and he promis'd to get me an Order from the Admiralty, to let me go in one of the Men of War, and he told me he was promised it; but when I went to see what time the Ships were to go, I was told that they were gone. Then I went down to *Gravesend*, to try if I could get Aboard any of them without a Pass: I was directed to a House there; the Landlord said, he would secure me of a Ship to go in, and so I saw the Master, and accordingly he consented to it. I went on Board the 16th of *November*, and there were some Gentlemen who called themselves my Country-men. I was very glad to see them, since I wanted known Company. So after we set Sail, one of the Gentlemen said to me, You that are Country-Gentlemen need pass the Seas but once or twice, but Soldiers must go almost every Year; and I said, I hoped if I got safe back to *England*, I should scarce cross the Seas again. I talking a little after this manner, he shewed me his Pass, and there I saw some Names writ down: The first, which he took to himself, was *John Campbell*, the second *Munroe*, the other two past as Servants, under the Names of *Dunkinson* and *Forbes*: And so Mr. *Campbell*, as he called himself, said, He dared not to write down Captain *Campbell* for fear of *Argyle's* getting notice of it, because he had promised to break him if ever he could; and so, since he staid some time longer than his Furlough, he intended to keep private till he should come to his Regiment, which he said belonged to Sir *David Collier*; but he said he had no great pleasure in staying there, since the King's Death, who was to have given him a Regiment if he had lived, for the singular Service he did that Regiment, in getting a great many Recruits to it; but from the Queen he needed not expect Preferment, since she was a Woman that did not respect Merit. I said, that I was not much conversant in Military Affairs; but as to what I heard in *England*, all People said, That the Queen was not in the least inferior to King *William*, in giving every Man his due. He answered, that they were mistaken that said so. Then I said, the Generality of *England* are mistaken, for any thing I could ever hear. After this he began to talk of the Union, and said, *Scotland* could never be happy if united with *England*. I beg'd his Pardon in that, and told him, I differ'd from him. He said, he wish'd they would unite with his old Masters the States of *Holland*; and the Master of the Ship agreed with him in that. I said, it may be the *Hollanders* will fit my Humour better than I expect; but for any thing I ever heard of them, they'd never agree with my Humour, so well as any thing that is in *Britain*. And then after he ask'd what I was, and that I told him, he began to ask me if I knew *Simon Frazer* of *Beaufort*? I said, I did, little thinking that he was the Man I spoke to, and I believe that scarce any Body could know him that saw him then, if they suspected nothing: He ask'd what my Opinion was of him? I said, I thought him a great Fool, since he took Advice from those who advis'd to so illegal and extravagant things. He said, he thought him so too. After speaking on several such little and private Things, we at length arrived at *Rotterdam*, where we were recommended to a private House of one, a Potter by Trade, so he advis'd me to go along with him. I was willing, since all Places were strange to me alike, and so we went; and after we all sat down, I saw in the Room to which we were conducted, one *Campbel* of my Acquaintance, and I told him of it: So he immediately went out, and left Mr. *Munroe* and Mr. *Dunkinson* behind, and desired me to go with him, for if he stay'd in that House he would be ruined. At which I went, and after a deal of Travel, we found a French House, where we got a Bed that Night, and Supper: And that Night at Supper he spoke with Passion against the Duke of *Argyle*, and said he would fight for King *James*, to be alike with *Argyle*. He sent Mr. *Monroe* next Day to one *Frazer's* House at *Rotterdam*, a Wine-Merchant, to get a private Room if he had it for him; and *Frazer* came the same day, and when he saw him, he saluted him, Captain *Campbell*, and told him he had no Rooms to let, but if he would come this Night at Six of the Clock, he'd give him a good Bottle of Wine: And the Captain promised he would come, and bring me along with him, but desired to be private; and so the Captain trusted me that Night there, since he could not promise to meet me sooner, because he was to go to his French Banker, whom he called by a great many ill Names, because he did not answer him his Bill, before he got his Letter of Advice, and so about Six a Clock I met him at *Frazer's* House; and there was with him one Mr. *Munroe*, an Officer in the Army, and one Mr. *Abercromy*, Merchant at *Rotterdam*, and there passed nothing but general Things that Night. We drank our Friends Health, and Mr. *Munroe* drank to him *Argyle's* Health, which he would not pledge; but he drank my Lord *Seaforth's* and the Earl of *Cromerty's* Healths to me: And this was all I heard him speak of the Earl of *Cromerty*, save at first, when I told him what I was, he said he knew several of my Friends, and the Earl of *Cromerty* was one of them he named. After he came home, he and Mr. *Munroe*, his Companion, fell to speak French, and I did not understand them: But after he had done, I asked him privately, what the Matter was? He told me, he was angry at himself, because he had sent Mr. *Munroe* to that *Frazer's* House; and he was angry at Mr. *Munroe*, because he had told *Frazer* where he Lodged, for *Frazer* was such a one that he could conceal nothing; for, said he, I was surprized to see all that Company there when I came in, but I hope, since I desired them, they'll keep it private. I ask'd him what *Munroe* was? He told me, he was an *Angus* or *Aberdeen's* Man, he did not know which; for *Munroe*, said he, scarce knows what he is himself, because he came from his Father's House at 16 Years of Age, and went to *Italy* and *Germany*, and served in the German Service, and was made a Major in it; but upon an unhappy Quarrel betwixt him, and one of the Officers, whom he killed, he was oblig'd to run for it, and came to the French Service; but for some Discontent he relinquish'd that also, and intended to go for *Portugal* with the New King of *Spain*, being recommended to him by a great many English Noblemen; but he was with him a good time, and was kept by him as a Companion, for he loved his Company well. Next Morning I was oblig'd to go about some Business, and I

told him, I was to go for the *Hague* that Night; and before Dinner I came, and took my Leave of him, and there I left him, after he promised he would send a Letter for me to *Utrecht*, when it was safest to come to the next Campaign.

This is all the Discourse that past, for any thing I can remember; and I did not suspect him in the least to be *Simon Frazer* of *Beaufort*, until I received the Earl of *Cromerty*'s Letter, and I know no more of him since.

If your Lordships desire to ask me any more Questions, I am ready to answer so far as I know.

Sworn before me this 1st
of February, 1703.

Nottingham.

Mr. Mackenzie's Examination.

Feb. 1st. 1703.

MR. Mackenzie being askt, Whether the Earl of *Cromerty*, by word, writing, or any manner of way, employ'd him, or any other to his Knowledge, to Correspond, or to Convey this Correspondence to any in, or employed by the late Queen, or Pretended Prince of *Wales* at *St. Germain's*, or with, or to any other Person or Persons Employed in or by them, or their Ministers, the Earl of *Middleton* or others?

He Answer'd, No.

Whether he did tell to, or inform *Simon Frazer* in the Ship, as he went to *Holland*, or in *Holland*, after they Landed, of the Earl of *Cromerty*'s Correspondence, or Resolution to Correspond, or to serve the said Queen, or Pretended Prince of *Wales*, any manner of way?

He Answer'd, No.

If the Earl of *Cromerty* desired him to say so, or what Grounds he had from him to say so?

He Answer'd, No.

What Discourse past betwixt Mr. *Frazer* and him, of the Earl of *Cromerty*, or of his Correspondence with the aforesaid Persons?

He Answer'd, All his Discourse was contain'd in his Affidavit.

Mr. Campbell's further Examination.

Campbell being again Examined upon the Occasion of a Letter Intercepted, which was Writ to him from *Paris*, from *Sim. Frazer*, dated Jan. 8.

He said he had Writ three Letters to *Frazer*, with the Privity of the Duke of *Queensberry*, since *Frazer* went away, and before he himself was apprehended.

In the First, He told *Frazer* that the Letter of the late Queen, which he left with the Duke of *Queensberry*, had the Supercription in a different Hand from the Letter, and therefore 'twas of less weight, and he told him his Brother was come hither.

In the Second, He told him that all was Discovered, and he suspected *Keith* to have done it.

The Third was only a kind of Duplicate of the Second.

And upon reading *Frazer*'s Letter of the 8th. he said, That *Keith* had told him (*Campbell*) that he aimed at the Deputy-Secretaries place, by the means of the Duke of *Atholl*.

That *Keith* was to give Account of all that past here, and *Frazer* told *Campbell*, that *Keith* was to Correspond with him.

And *Keith* said, That he should in that place be more capable of serving his Friends.

Deposition of Mr. Oliphant.

Sir *Alexander Maclean* told me, That Cap. *Simon Frazer*, had by the Interest of his Friends about *St Germain's*, prevailed with the late Queen to write Letters to several Noblemen in *Scotland*; particularly, one to the Duke of *Hamilton*, and one to the Duke of *Atholl*, as being of great Interest, not very well with present Government; and if they did not comply with the Design, to inform against them as Corresponding with that Court; and *Frazer* got a Gift, or Written Assurance of so much of the Duke of *Atholl*'s Estate, as should make up all his own, and his Friends Losses in the Affair of the Lordships of *Lovat*.

And Captain *Frazer*'s Design, at least his Promise, was to raise all the *Highland-Clans*, and got a Commission for the same, with a Warrant to use such as would not comply in an Hostile Manner: His farther Security was to be supported by Troops, coming under Command of the Duke of *Berwick*; he was to come from *France* by the way of *Flanders*, and receive his last Instructions from the Duke of *Berwick*;

Berwick; and upon his return to *France* again, after having been in *Scotland*, he was to receive the Money that was to be employ'd for raising the *Highlands*, but his not coming through *Flanders* made *Sir Alex.* believe that he had been only tricking to get some Money for himself.

Sworn before me,
Jan. 14 1703.

Nottingham.

Pat. Oliphant.

Affidavit of Mr. Oliphant.

I Came from *France* in *May*, 1703. From *Paris* to *Dine*, from *Dine* to *Brudges*, and going from *Brudges* to *Sluce* in *Flanders*, was taken by a *French* Party, and returned back to *Brudges*; and after having been Prisoner there some time, the Governour ordered me to go by *Mareschal Villeroy's* Army; otherways, if I were again made Prisoner, to be at my Hazard: After coming to *Villeroy's* Army, I obtain'd a Trumpet to go to my Lord Duke of *Marlborough's* Army; after having left the Confederate Army, I was taken up by the Governour of *Breda*, for want of a *Dutch-Pass*, and on a Letter of the Duke of *Malborough*, set at Liberty; after being at Liberty, I came to *Leyden*, where I staid several Months, and then came hither.

Sworn before me,
Jan. 14 1703.

Nottingham.

Pat. Oliphant.

Mr. Keith's Letter to the Earl of Nottingham.

My Lord,

Tho' I might reasonably expect, that my late Sufferings and Cruel Treatment should sufficiently declare and vindicate my Innocence to all the World, yet I still find, that some Men are so Artful and Diligent in the Pursuit of my injured Reputation and Character, that I can't but shrewdly suspect, their cunning Endeavours point at something of greater Moment than my Ruine, which never can be thought worthy of so much Pains and Labour.

It is therefore that I presume to give your Lordship here in Writing an Account of all this Affair, so far as it relates to my self, or is consistent with my Knowledge; all which, tho' I have already declared at several times before the Council, yet perhaps it may not be out of the way to resume it in my own Words, so as your Lordship at one View may be fully informed of the real Truth.

Your Lordship must know then, That Captain *Frazer*, Ten Weeks ago or thereabouts, sent two or three times to my Lodgings, to desire that I would come and speak to a Gentleman, but being always Abroad when the Messenger came, I at length found a Note to the same purpose, without any Subscription, which I obeyed, not knowing all this time who it was that sent for me. I was no sooner come into the Room, but *Frazer* discovered himself unto me, with all the pitiful Circumstances of his Affairs, in Relation to the Duke of *Atholl's* Family, begging it as an Act of Charity, that I would contrive to bring the Duke and him together, or Commence some Correspondence, in order to an Accommodation betwixt them, without which he must starve, and to obtain which he was ready to do any thing that could be proposed. But in my refusal of this Undertaking, I shew'd so much Resentment of what he had done to my Lord *Atholl's* Family, that at last his Request was only, that I would not discover him, which, according to my Apprehension of Things, is so disagreeable to the Character of a Gentleman, that yet I should be apt to do the same for any Man, that would throw himself in my Mercy, and who I understood to be condemned only for a private Crime, without being guilty of Treason, or any ill Design against the Government. However, it seems this Gentleman's and Generous Behaviour of mine to *Frazer*, gave him some Encouragement to renew his Requests unto me, about my Lord *Atholl*; which was the Occasion of my meeting several times with him, till at length I was forced to tell him, That any farther Trouble of that kind, would oblige me to take some other Course, than I at first intended, which I believe did not a little frighten him, and consequently delivered me from such Disagreeable Company.

Now this being all the Truth that can be Alledged or Charged against me, I shall leave the World to judge, whether I han't met with great Hardships.

As for any Letters that have been or may be writ about me, they are so False and Ridiculous in themselves, as well as upon the Account of the Villanous Contrivance, for which they have been intended and produced, that I never thought it worth my while to regard them; nor can I think it possible they should bear weight with any reasonable Man, especially when it is considered, that I have been prosecuted as much by those whom I reckoned my Friends, as my Enemies, destitute of all Favour, but what the Letter and strict Sense of the Law afforded me; so that I must certainly have suffered, had there been any Legal Proof to be adduced against me.

But to shun Reflections, and not to weary your Lordship with a long Narration, I shall only say, That now a very little time, will demonstrate to the World how much I have been Injured and Wronged, especially with regard to my Duty, and true Affection to Her Majesty the Queen, and Her Government, in whose Service, I don't at all despair of recovering that Loyal Character, which I always aimed at, and which is the great Ambition of,

My Lord,

January 29.
1704.

Your Lordship's most Humble,
and most Obedient Servant,

Will. Keith.

After

After Reading this Day several Papers delivered into this House, in Relation to the Conspiracy in Scotland, It is ordered by the Lords Spiritual and Temporal in Parliament Assembled, That this House will take into their farther Consideration, the other Papers relating to this Matter, to Morrow at Twelve a Clock.

Die Mercurii, 9 Februarii, 1703.

The House, according to Order, took into Consideration the Papers relating to the Scottish Conspiracy; whereupon the Packet delivered in by the Earl of Nottingham, 3d Feb. 1703. was Opened, and Read, as follows:

Mr. Ferguson's first Narrative delivered to the Lords of the Cabinet-Council.

N^o XI.

I Do solemnly Declare, That so far as concerns either my Knowledge, or my Belief, there is not a Non-juror, or any called a High-Flying Church of England Man, or one reckoned a Jacobite, engaged in a Plot, or that will be against Her present Majesty, and the Government.

Yea, it is so far from giving them Uneasiness that Her Majesty is on the Throne, that they heartily bless God, the Monarchy is preserved against the Designs of the Republicans, and that one of the Serene Family of the *Stewarts* possesseth the Sovereignty, in despite of all the Endeavours of such as would have either supplanted Her, had the late King *William* lived, or would have brought, either the Princess *Sophia of Hanover*, or the Prince her Son, to England or to Scotland, during Her Reign, since His Decease.

And that it is not to be denied, but that there are those in Her Majesties Dominions, who will not Swear to serve Her against the Prince at *St. Germain's*; yet since they are willing to live quietly under Her Majesties Authority, it is hoped they will be distinguished from Traitors and Rebels.

And should the Weight of Foreign Affairs bring Her Majesty into a Necessity of Capitulating with France, there are none in these Kingdoms, who will be either more careful for the Security of the Protestant Religion, and of the Church of England, as by Law Established, or of Her Majesties Enjoying the Royal Dignity during Her Life, as was anciently stipulated in this Kingdom, first between *Henry II.* the Son of the Empress *Maud* and King *Stephen*; and secondly, betwixt *Richard Duke of York*, and King *Henry VI.* than they who are branded and stigmatized for Jacobites, will.

Nor are French Plots against Her Majesty to be much dreaded, while the Ministers of that King know not better how to choose their Tools for promoting them, than to employ Captain *Frazer* in Scotland upon such a Design, who is both so obnoxious to the Laws of that Nation, and accounted infamous by all Men, for the vilest and most abominable Crimes.

Neither can it be reasonably imagined, that his Grace the Duke of *Queensberry*, who not only protected the said *Frazer* in Scotland, but obtained a Pass, by a sham Name, of the Right Honourable the Earl of *Nottingham* here, for conveying him Abroad again, would be in a Conspiracy with the Court of France against Her Majesty and the Present Government.

And it ought to be held ridiculous, that either my Lord *Stairs*, who was the Author of the Massacre in *Glenco*, or Mr. *William Carstairs*, who was deeply engaged both in the intended Assassination at the *Rye-House*, and in all the Treasonable Designs, as well against King *Charles II.* as against the late King *James*, while on the Throne, should now become imbarqued in the Service of those at *St. Germain's*, and cooperate with those, who are said to be carrying on the Exalting the Prince of *Wales* to the Thrones of his Ancestors.

Nor will it pass upon any Man of Common Sense, that the Duke of *Queensberry's* Confidence in, Kindness to, and singular Care for the Covering and Protecting Captain *Frazer*, should be merely in hope of *Frazer's* getting his Grace's Pardon, in case of a Revolution, as the said *Frazer* was pleased to say both to my self, and, as I have been told, to others, and not rather to be that Duke's Intelligencer from Abroad, as his said Grace is reported to have affirmed.

And what sort of Informations his Grace had contracted with him about, may be partly conjectured from the Rumours which have obtained for some time about this Town, of a Plot carrying on in Scotland against Her Majesty; wherein not only the Duke of *Atboll*, but divers others of the first Quality of that Kingdom, were criminally concerned.

But as the more exact Knowledge, what Tidings *Frazer* was to convey to the Duke of *Queensberry* from the other Side, were to be, will be learned from Intercepted Letters hither and thither; so both my own getting the Duke of *Atboll* acquainted how such Letters might be laid hold of, and his Grace's laying it before Her Majesty, are an undeniable Evidence, That both the said Duke of *Atboll*, and my self, are far from being in any Conspiracy against Her Majesty and Her Government.

Nor can it escape the Observation of Her Majesty, and of the Honourable Lords of Her Privy-Council, how precarious the Lives, as well as the Liberties and Fortunes of all such must needs be, against whom either *Frazer* doth entertain Resentments, and bear Revenge, (as he is known to do in reference to the Duke of *Atboll*, and to many more of the first Rank in Scotland) or the Duke of *Queensberry* himself, shall harbour the least Grudge.

And seeing it will contribute to the giving farther Light to this Matter, to have those strictly examined, who, either here or in Scotland, have had secret Conversation and Transactions with Captain *Frazer*, it is my humble Opinion, that besides what may be learned from the Laird of *Locheal*, and from other Heads of the *Highland-Clans* in Scotland; all whose Names are, in great probability, known to his Grace the Duke of *Queensberry*, it having been under his Grace's Protection, as well as his Advice, that *Frazer* went to them: So much more may, in the use of proper Methods, be gained from Mr. *Keith*, and Lieutenant *Campbell*, who of all Men seem'd to be most in *Frazer's* Confidence, and on his Secrets, then they have yet declared. And in my humble Opinion it will be one of the most Effectual Courses to prevail with them to deal openly, and without reserve, if they shall be threatned with the being sent to Scotland in order to be proceeded against.

Nor is it unlikely, but that something considerable in this Affair may be wrested out of Mr. *Carstairs*; in that he having procured of the late King *William* a Pardon for *Frazer*, with respect to his having levied War, and he being still reckoned by *Frazer* for one of his special Friends, which also was told to my self by the said *Frazer*; It is not to be supposed, but that one endowed with the Insinuating Faculty and Art, for which Mr. *Carstairs* is so much valued by his Party, as he is known to be, would winde himself, as much as he could, into the Knowledge of what *Frazer* came to transact in *Scotland*, especially when he could not avoid the having a Prospect of rendering the being let into it, serviceable to the Interest of the Kirk.

December the 24th, 1703.

Robert Ferguson.

Smeaton's Letter to Thomas Clarke, and those Inclosed,
Decemb. 4th. 1703.

[Note, By Smeaton, is meant Frazer.]

To Mr. Tho. Clarke Apothecary in Watling-street, over against St. Austin's Church, near St. Pauls Church-yard, London.

Dear Friend,

I Have sent you this, to tell you, That Mr. *Corbushiere* has done me, by not considering, more harm than I fear I will be able to get over well: I am forced to stay still here, squeez'd twenty Guilders a Day, and made known to twenty *Scots* here, and some will certainly inform against me when they go for *England*; and if I am not soon gone, I am afraid of the worst. After Reading, send the enclosed *Gazette*, to Mr. *John Seaton*, at the *Half-moon* at *Durham*, and write that his Friend is safe here: Give the enclosed to Mr. *Keith* and my Black Friend, and let them read the *Gazette*. We have the Rumor of bad News here, that Prince *Lewis* of *Baden* is beat, if it holds, it will Ruin the Empire. They say that the *Germanins* King will Command in *Flanders* the next Year; so we will see how the new Kings behave: Direct to me, Mr. *John Smeaton*, to the Care of M. *Vincent Neerinx*, Merchant at *Rotterdam*.

I am,

Sir,

Your Real Friend,

Jo. Smeaton.

Inclosed, one to *Colin Campbell*, and one to Mr. *Hill*, as follows:

To Mr. Colin Campbell, next door to the Hampshire-Hog, Charles-street, Westminster.

My Dearest Cus.

Rotterdam the 4th. of Decemb. 1703.

I Have sent this to let you know, that to my loss and trouble I am here yet, because that little Devil *Corbushiere*, forgot to give me a Letter of Advice to answer my Bill, and for want of it, I cannot get a Farthing, and lives here at the rate of twenty Guilders a Day: and I could not set out my Nose, but twenty *Scots* People knew; some of them are going to *England*. I believe they will give Account of me. I made them all believe, that I am going on the present Expedition to *Portugal*: I desire you tell the Duke this, and send me an Answer to my last, write all to me freely, and direct to Mr. *John Smeaton*, to the care of Mr. *Vincent Neerinx* Merchant in *Rotterdam*, he will send it safe to me where-ever I am; my Dearest, let me hear from you often. I ever am,

Your Brother is Groom
of the Bed-Chamber.

Tours Eternally.

You may tell the Duke that I saw a Man from *France*, but I will not tell him what I hear, till I hear from him; only they say, the *St. Germanins* King will Command in *Flanders* next Year. Adieu, my Dear.

To Mr. John Hill at the Marine Coffee-House in Pickadilly.

[Note, By John Hill, is meant Will. Keith.]

My most Dear Friend,

This is to give you Account of my unlucky stay here, cursed *Corbushiere* not giving me a Letter of Advice. I spend much here, I lose my time, and I am unluckily known by many *Scots*; I persuade them, I am going to *Portugal*; I believe they will inform against me; so acquaint me, my Dear, of all you'll hear. Direct to me to Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx* Merchant at *Rotterdam*, and it will be sent very safe to me where-ever I am. I met here with one *Dalaville*, that has a

Pass to carry Eight Horses to *France*; he says, that the Court of *St. Germain* expects to succeed to Queen *Anne*; that they will make no Disturbance while she lives: they say, that their Young King is to Command in *Flanders* next Year, so we will see what the two Pretended Kings will do in the Field. My Dear, write all things to me by *Edenburgh* very freely: I am Eternally Yours. Tell *John* to march Day and Night. *Adieu, Mon Cher Enfant.*

Write often this way, for it's safe,
till we have another.

*Smeaton's Letter to Tho. Clarke, with one inclos'd to Mr. Smith,
one to Colin Campbell, and one to Corbuserie.*

To Mr. *Tho. Clarke* Apothecary in *Watling-street*, over against *St. Austin's Church*, near *St. Paul's Church-Yard, London.*

Affectionate Friend,

THE Packet is at last come in this Day, and I get Money in Two-Pennies Pieces to Morrow, and I go the next Day after. I met with a great many here that knew me, whom I persuaded that I was going with the King of *Spain* to *Portugal*. I intreat you let me know if you received my last Two Letters. Deliver the inclosed Letters to my Friends. After you Read Mr. *Seaton's* Letter, which is all the News we have at this time, seal it, and send it inclosed in a Letter of your own forward to *Durham*. Direct to me, as I told you in my last, To Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx*, Merchant in *Rotterdam*. Give my Service to all my Friends, particularly to Mr. *Mackartny*, and to your Uncle. I forgot to tell you, That there are 30000 *French* on the Frontiers of *Portugal* already, and Twenty *Walloons* and *Flemish* upon their March to *Spain*, so that King *Philip* will have Sixty Thousand, the most of them Strangers, this Winter in *Spain*, ready to go to the Campaign the beginning of the next Year, to Defend his Pretensions. Let me know by the first what your Parliament is doing; and an Account of all the Sea and Land-Forces that are to go to *Portugal* with the King of *Spain*. This, with my Service to your Family, is all, from

Rotterdam, 7 Dec.
1703.

Your Affectionate Friend and Servant,
John Smeaton,

Inclosed, one to Mr. *Smith*, one to *Colin Campbell*, and one to *Corbuserie*, as follows.

To Mr. *Smith*, at the Marine Coffee-House in *Pickadilly*.

[Note, By *Smith*, is meant *Keith*.]

My most Dear Friend,

SINCE I wrote my last, I have seen several that knew me: I have made them all believe, that I go for *Portugal*. We are down in the Mouth here, with the News we have of Prince *Lewis of Baden's* being Defeat; it has left us no hopes, but what we have in the Supplies of your *English* Parliament. Pray let me know fully what they are doing, and send me the Detail of the Land and Sea-Forces Ordered for *Portugal*. Seal the inclosed, and send by the very first; and write to *Robin* to send an Express with it. Where-ever *John* is, my Dear, do not fail to let me hear from you. Direct to me, To Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx*, Merchant in *Rotterdam*; and he will send it safe to me where-ever I am. If it was all full of Heresie, there is no fear of it. I am uneasy till I hear from you. I ever am your own, while

Rotterdam, 7 Dec. 1703.

And Eternally after,

John Campbell,

I go forward to Morrow, God willing, a Dangerous Journey, but it must be ventur'd. *Adieu.*

To Mr. *Colin Campbell*, next Door to the *Hampshire-Hog*, in *Charles-Street, Westminster.*

Rotterdam, 7 Dec. 1703.

My Dearest Cus.

THIS Day the Packet-Boat came in, and I get my Money to Morrow, and goes away next Day. I have been known here by a great many *Scots*. I persuaded them all that I go for *Portugal* with the King of *Spain*, which you may improve, if you hear any thing of me there. I wrote to you so fully in my Two last Letters, that I have nothing to add now, but to intreat of you to write to me often. Direct for Mr. *John Smeaton*, to the Care of Mr. *Vincent Neerinx*, Merchant in *Rotterdam*. You may write fully to me, for it will come very safe to me where-ever I am. Let me know what my Friends do for you and me. I pray God may still Preserve and Prosper you. My Duty to my Dearest Aunt; her Son is now Groom of the Bed-Chamber and fonder of his Fair One than ever, which is the Height of his Ambition, so that he is lost to us all. My Dear, let not this trouble you, but let you and me take Example, and let us do Brave, Gallant Things while we Live. I hope *Thom.* will not Disappoint me. *Adieu, my Dearest of all the World. Farewel.*

I bless

I bleſs God I am very well in my Health, and I ſtrive to Recover from my Melancholy every Day; and I Intreat and Conjure you, as you love your Soul, Body, Honour and Friends, ſtrive againſt Melancholy : for if any thing Ruine me, it will be Grief; ſo forſake it, my Dear.

To Mr. John Corbuiere Merchant, in London.

Dear S I R,

I Got yours juſt now, which I long'd for with all my Soul: for the want of the Letter of Advice, has Expoſed me here to a hundred Inconveniencies, beſides the loſs of my Journey, and Expences; but I only attribute that to my own ignorance, and your forgetfulneſs only, in not ſending a Letter of Advice with me. As for the loſs of the Bill, I am ſorry you ſhould have one uneaſie thought about it: for I don't value it, nor was Money ever my Maſter. In the mean time, I am perſwaded, That, it is no Profit to you; but that that Fellow made you believe, That things were other than they are. It is not Ten Piſtoles loſt there, and Twenty here that I regret, but by my loſs of time: for I had been well pleaſed, had my Bill answer'd when I came; but keeping me here Twelve or Fourteen Days for it, has done me a great deal of hurt. But I admire but you know me better than to think, that you ſhould Refund a Farthing of that nature to me, if it was a thouſand Pound. I give you hearty Thanks for your Service, and does not blame you for Accidents. The Fellow has not paid the Bill yet, and is poſitive he will give me no Money, but Duplikies the Two-Fenny-Pieces here. Pray let me hear from you. Mr. Neerinx has been very Civil to me. I ſtill am,

Your Real Friend and Servant,

John Campbell.

The following Letter was Incloſed to Mr. Smith in the foregoing Letter to him of Dec. 7th.

To Captain John.

[Note, By Captain John, is meant John Murray.]

My Dear John,

I Have ſent this Exprefs to let know, That, tho' to my Loſs, I have been obliged to ſtay here till now; yet I am glad, upon your account, that I have ſtayed: for, by good luck, I met one Mr. Dalaville here, who has a Pair of Eight Horſes, and Four Men. He ſays, He knows you very well. I told him, after Four or Five Days Acquaintance, that I believed you would come ſhortly this way, and go forward. He told me to write to you immediately, to tell you, That he would wait here a Month for you, to bring you ſafe where you would be. So, my Dear, make all the haſte you can to London. Come from that here by your Nephews Direction; and when you come to Rotterdam, Inquire for one Mr. Vincent Neerinx, Merchant, on the Vine-Haven. Dalaville Lodges with him; and tho' Dalaville ſhould be gone, Neerinx, who is a mighty honeſt Man, will do your buſineſs well enough. After I have conſidered all the ways, I think this abſolutely your beſt. So I adviſe you to take it. I wrote this Day to our Friends by a ſure way. We are confounded here that we loſt 13000 Men at the Battle of Spireſ, and that we have private Letters, that Prince Lewis of Baden is Beat in Germany, which Ruines us all. I Intreat you make all the Diſpatch poſſible, and let me hear from you by your Nephew. My kind Service to all your Family, which I will always reckon my ſelf a part of. I ſaid a great deal of you to my Friend in my Letter. I wiſh we may make good our words; and, I hope, we will do more. I ever am,

Rotterdam, 7th Dec.

1703.

Yours ſincerely and eternally.

Smeaton's Letter to Tho. Clarke, with one Incloſed to Colin Campbell, and one to your Brother, Decemb. 11. 1703.

To Mr. Tho. Clarke, Apothecary in Watlingſtreet, over-againſt St. Auſtin's Church, near St. Paul's Church-yard, London.

My Dear Clarke,

THE Poſt is juſt going off, ſo that I have only time to tell you, that I received yours, and that I am mighty glad to know you are well, and to aſſure you of my conſtant Friendſhip and Gratitude for your many Services: I will write by the next to you, and to your Uncle, whoſe Letter I can hardly read it is ſo blotted; but I will work a whole Day at it, or get it read. Tell Keith, whom I beg you may find out as ſoon as you can, that I am angry that I did not hear from him, and that I expect a full Letter by the ſiſt. Deliver the incloſed as ſoon as can be. Pray let me know. In your own write what our Parliament is a-doing. I have endeavoured to baniſh my Melancholy; but I have this Minute, and all Day, a Feaver by drinking bad Wine. I wiſh I was out of this unwholeſome Country. Saturday's Storm loſt Two Engliſh Men of War, and ruined Two Dutch, and all the Transport-Ships, where the King of Spain loſt all his Baggage, Plate, Clothes, and ſeveral Officers drown'd, many other Men and Women. All this in one Place, but the Loſs is univerſal in Holland. Adieu. I ſtill am

Rotterdam 11th Dec.

1703.

Your Real Servant,

Jo. Smeaton.

Let

Let me hear often from you, about my Health, which I'll fear still till I be in a better Air, for this Country will soon kill me. My Duty to your Uncle, who will hear from me often.

Inclosed, one to Mr. Colin Campbell, and one to your Brother, as follow :

To Mr. Colin Campbell, next Door to the Hampshire-Hog, in Charles-street, Westminster.

My dearest of all Cousins,

I Am glad to hear and know by your Letter, that you are well. I am unluckily here still, but to Morrow or next Day I go off to a most dangerous and impracticable Journey, but it must be ventur'd: My Service to my dear Duke, and my dearest Friend Fr. the E. if he be come there; and tell them, that I am intirely their Servant, and that I wonder they did not honour me with a Line. I am confounded to know that your Brother is Prisoner: I am afraid they will keep him so; however, his only business is to give them fair words till he be in the *HIGHLANDS*, for I rather see him Shot and Damn'd, than that he should do an ill thing. Since his Lady is with him, he and she must be humour'd till he be once in *Gray-steels* Bounds, and when I return I hope we will manage him: Our Master's Business must carry, for nothing happens every day but Melancholy Misfortunes to the other Party every day. However, my Dear, since he knows nothing but what she will know, and then her Father, who is a Knave, you must not let your Brother know what pass'd in *Scotland*, but in fair Generals, as I have done in the Inclosed. But, my Dear, keep him from Engaging with either Party if he can; but if he has Resolutions of making any Engagements, let it be to our Friends, and not to our Enemies; but let him consider, not to lose his Fourteen Years Service, and let him not be Prepossessed with a Pique, for he will never make any thing but by that means: However, if nothing will keep him from the Government, conjure him to some of your Friends and mine. Let me hear from you, for I will wait for it to know what he does. I am yours eternally more than all the World.

John Smeaton.

I have endeavoured to banish my Melancholy every day, but I have the Feaver just now, by drinking bad Wine last Night. Adieu, my dear. Tell *Keith* that I am very angry he did not write to me, and that I expect a full Letter by the first. Ten thousand good Adieus to you. My Dear, let me know what's done in your Affair, and let *Tom* do good Things; for if I live, I will see him. *Jobny* and the Majors give you their kind Service.

To your Brother.

[Note, By your Brother is meant Sir John Maclean.]

My dear Cus.

Rotterdam 11th Dec. 1703.

I Am glad to hear that you are alive, but I am surprized to hear that you are Prisoner, and I cannot understand how you came to throw your self in an open Boat, and afterwards give your self up to the Government; when, in my humble Opinion, your business was to go quietly Home, where you might either serve your Master, or make an honourable Capitulation for your self and Friends: However, my Dear, since you are in their Hands, my Advice is positively, that you give them fair Language in every thing that will procure your Liberty, and then make the best of your way Home, where you will meet with Friends that will stand by you. My dear, I know I need not bid you keep firm to your Master's Interest, which is the only thing to preserve your Honour and Interest, and the making of an ill step now, would so ruin your Reputation, that tho' I love you intirely, I rather see you buried than that you should be guilty of it. So, my dear, I conjure you, as you will be answerable to God and your Honour, to keep firm to your Master, that so you may receive the Rewards that you and your Family deserves. Our Master's Affairs are in extreme good Condition: I have push'd them so, that all his Friends are ready to obey, upon reasonable Grounds, which the Bearer, who is the Man upon Earth, you should be most guided by, knows. He is not only your Brother, but a tender one, and the prettiest Young Fellow alive of his Generation, and who will raise himself, and serve his Friends; and all I conclude is, that you are Infatuate if you do not follow his Advice, for he is brave and solid. Let me immediately hear from you, and let me know upon what Terms you came away, and how you left Matters there; for I will wait your Answer here. Take care, for Christ's sake, that no Condition may make you or your Friends tell a word of the main Business, to any Body. Many things may be said, that are true and probable, that may do you Service, without touching the main; which Torture should not oblige to discover. My Dear, pardon my Freedom, since I reckon my self but a part of your self; and, as I told you many times, if you bid me, and go along with me, I'll return to Morrow, and hazard my Courage, and all mine, to get you your own, and will do the same if I was settled to Morrow at Home. I give my kind Service to your Lady: I wish her and you much Joy of your Son, *Sir Hector*; I wish and hope you may do such great things as will make him great. Adieu, my most dear Cousin, and remember your Honour, and our many days Resolutions: If you will stand by me, we will force our Enemies to give us our own. I ever am,

Yours,

Jo. Campbell.

Be full in all that pass'd
since I saw you.

Smeaton's

*Smeaton's Letters to Tho. Clarke, and several Letters therein
Inclosed, Dec. 14. 1703.*

To Tho. Clarke Apothecary in Watling-street, over against St. Austin's Church, near St. Paul's Church-Yard, London.

My Dear Friend,

I Have nothing to Acquaint you with since my last, but that you may see in your Uncle's Letter, which I desire you may Read and Seal, and afterwards give it to him. I intreat you send the Inclosed forward for *Edenburgh*, and deliver the Inclosed to Mr. *Keith*, and my Cousin, as soon as possible: I resolve to go out of this Town on *Sunday*, God willing. I got a great Cold here, and I am afraid for the *Ague*; for which I resolve to go to a better Air, as soon as possible. I intreat you let me hear frequently from you, with a full Account of what your *English* Parliament is doing, and how the King of *Spain's* Business goes on there, with a Consultation always from my good Physicians concerning my Health, which I hope a better Air than this will Recover. This with my kind Service to your self and Family, is all from

Rotterdam 14 Dec. 1703.

Your Affectionate

Friend and Servant,

John Smeaton.

Inclosed, one to *Colin Campbell*; one to Colonel *Walter Corbet*; one to *Alexander Frazer* from *Lovat*; in which is Inclosed, one to all the Gentlemen of the Name of *Frazer*, of the Lord *Lovat's* Family; and one to Captain *Thomas Frazer* from *Lovat*; one to Mr. *Smith* from *Smeaton*; one to Mr. *Ralphson* from *Smeaton*; a *Rotterdam Gazette*; as follows.

To Mr. Colin Campbell next door to the Hampshire-Hog in Charles-street, Westminster.

My Dearest Cus.

Rotterdam, Dec. 14th. 1703.

I Am still here, I was perswaded by my Friends, that I could not any manner of way pass the Frontiers without the *States Pass*; I have sent Money to the *Hague* for it; and whether I get it or not, I will venture on *Sunday*: I must venture for my Health out of this Country, for I have a Fever and Loosness. Give my Service to my great Friend the D. and to my dr. L. if they prevail, I hope they will remember me. I met one *Alexander Campbell*, a Son of *Craigness*, who perswaded me to write a Letter to *Argyle*, and to his Brother, but in very general Terms, only that I told him, if he was Friends with *Atboll*, he must lose me and many more. For God's sake, my Dear, push your own Affair now briskly, that the Month is come in, and put my great Friends in mind, that I told them, that I would take their doing for you, as a Demonstration of their Friendship for me; and if they do not for you, I am sure I will never do for them; which will be of loss to them. Give my service to your Brother, if you see him, and tell him to Remember what I wrote in my last; I rather see him Dead than do an ill thing; but if he joyn any Party, perswade him to joyn our Friends, without which he never will do any thing in the Government, since he is fully bewitched by that Woman. I think it's best not to be rude to her, till the Plantation-time of Year come in: for God's sake, my Dear, let not him or any body, except the Colonel, know what is, and was 'twixt you and me. Your Brother will tell her all, and there it goes: Keep this Letter in a sure Place or burn it, that he or she may not see it: tell him that I pres'd you to make him send me a full Account, how he came away, and how he left matters there, and how my Friends stood for me. My Dearest, if I escape this Journey, you will see me in Summer, if I am alive in Health; and then I'll do, or dye upon the head of it: But I doubt not of doing Great and Glorious Things, if I keep my Health. I pray God preserve and prosper You, my Dearest Cousin, I hope to see you Enjoy a great Reputation, and a Plentiful Estate. Your Cozin *James*, Sir *Normand's* Son, is Dead and Buried last *Wednesday*. Pray let me hear frequently from you, and believe that you are the Creature in the World I love most. Let *Tom* do good things: Adieu, my Dearest; I am,

Yours, for ever,

John Smeaton.

To the Honourable Colonel Walter Corbet, First Major of Her Majesties Regiment of Foot-Guards at *Edenburgh*, Scotland.

[By *Walter Corbet*, is meant Captain *Macleod*.]

My Dear Cousin,

I Received both your Letters last Night in this Town Quarters. I am now, almost Twenty Days, being kept unluckily by my *English* Bills, and other Inconveniencies till now. One of your Letters was Dated the 11th, and the other the 13th. In the first, you give me an Account of your Receipt of a Letter from *London*. In the second, you tell me of my Friend L. his going up Post to *London*, which my Friend Q. told me before I left *London*. I had a Letter from that the last Night, which give me hopes, that they will prevail, which I would be very glad of. You writ to me to Recommend

commend *Charles Mekeenen* to my Lord *Lorn*. I believe you do not know, that it is reason enough for my Lord *Lorn* not to do for him, that he served his Father. I can recommend you and him effectually to my Friends *O.* and *L.* which I will do; but if you and *Charles* Reflect on what I told you, your first and best Preferment will be that way. And now I advise you, as you wish your own Risings, you abstract from that till that time, at least till I acquaint you. I intend to go to morrow or next day up the Countrey, a most Dangerous Journey, but must be ventured. I have settled a Correspondence, that you may write to me where-ever I am. So that you may Direct one of two ways, for Mr. *John Smeaton*, to the Care of Mr. *Thomas Clarke*, as formerly, or to the Care of Mr. *Vincent Neerinx*, Merchant, in *Rotterdam*, and that Mr. *Vincent Neerinx* will send them to me where-ever I am. I have sent the inclosed Letters to you, that you might take care to send them North. Send them under your own Cover to *Donald Frazer*, Postmaster at *Inverness*, if he is alive in that Post; if he is not, send them to a safe hand, that will deliver them to *Culduthell*, or to one of his Brothers. Send the other Line to *Them*. and let me know what he is doing by the first. You may expect to hear from me once a Month, or a Fortnight, while I am in this side. Give my most kind Service to your Discreet Lady, to Honest *Charles Mekeenen*, and tell him to be as good as his word; and I am sure he will not have Occasion to Repent it. My Service to my Cousin Mr. *Alexander*, and tell him, I have on sight of his Brother *Normond* Heir, and that he is well, and that his Brother *James* was buried yesterday at *Bomell*. They have no News this side, but that the Empire is every day more and more in Danger of utter Ruine; and the Storm of *Saturday* last has done greater Damage to *Holland* and *England*, than if they lost Three Battles. I desire you write frequently to me, and believe, where-ever I am, you have the Friend in the World, that loves you best, and will continue unalterably,

*Rotterdam, Dec. 14.
1703.*

Your Affectionate Coz. and Servant,

John Smeaton.

My Brother, and the Major, gives you and your Lady their Service.

To the Honoured Alexander Frazer, Younger, of Culduthel; in his Absence, to John or James Frazer, his Brothers.

Most Dear Cousin,

I Have sent you this to assure you, That my Love for you is as much this Day as the Day we parted, and that I hope to make you and your Family, and Fathers Children, happy very soon. I hear you are Married, if it is so, I wish you much Happiness, and if you are not, I hope to get you a good Marriage before a Twelve-Month be over: let no Mans Saying discourage you; for if we live both a Year, you will, by God's Help, see me the greatest Lord *Lovat* that ever was: I am so already out of my Country, and I hope to be so in my Country very shortly. If you think that it will not be hurtful to your present Condition, I desire you go about with the Inclosed; if it will, send one of your Brothers with it, that will give me a faithful Account of what every particular Mans Answer to it will be. You may propose their sending me a Letter to try their Pulses, for by Signing or not Signing it, I would know who is my Friend, and who not. I refer all this to your Management; and whatever Word you have for me, send it to Captain *Macleod*, and I will get it safe where-ever I am. Believe that I am, dear *Saunde*,

Your Affectionate Cousin and Chief,

*Rotterdam, 17th Decem-
ber, 1703.*

Lovat.

My kind Service to all your Relations, and all my other Friends. Adieu.

To the Honourable, all the Gentlemen of the Name of Frazer, of the Lord Lovat's Family.

My dear Cousins,

Since I design not to go Home this Winter, but make a Journey up the Country, I thought fit to send you this Letter, to let you all know, that I bless God I am in very good Health, and in extraordinary good Expectations of my Business, so that the next Summer I hope will see me as my best Friends would wish me, since there is no Pleasure or Preferment, tho' I have now both very considerably, is capable to hinder me from venturing my Life, and all that's dear to me, to make you happy, and to keep you from being Dispersed and Banished from the Lands of your Fathers. I hope you will reflect on your Foolish Divisions, and abhor them; and as I never did Revenge my self against the particular Persons that appear'd against me, because I hated mortally to dip my Hand in my own Blood, so I do heartily and sincerely forgive all, and one of them, by this, since I believe they did not see their Error, till they see their Door-Neighbours like to take their Bread from them; and as I do pass by, and intirely forgive all by-gone Injuries, so I hope they will join and concur with me to keep out our Enemies, and to preserve my Family, and their own Name and Kindred; which if they do not, when I come to my Country, I declare solemnly, That I will treat them as my worst Enemies, and cut them off as Monstrous Members, who are like to destroy the Body whence they have their Birth: and I can assure you, I will have Power to do it, and be fit-sides with all my Enemies, if I live a few Months. So if you should not hear from me till I see you, let this Letter be a faithful Advertisement to you, that I never resolve to quit my Birth-right, and preserving of you while I live; and let it be a convincing Exhortation to you, to be United as one Man, to keep the Possessions of your Fathers, and resolve to dye bravely together, rather than survive your Honour, and the *Mackenzies* Domineering over you, and Transplanting you, which none of you is so ignorant, but you must see is their Design and Endeavour: but they never will do it while I live, and I hope to turn the

Chace

Chace on some of them, before it be long. So begging of you all to believe that you never had a more Affectionate Relation, or a more tender-hearted Chief ; I ever am,

Rotterdam, 15 Decemb.
1703.

My Dear Cousins,
Your Affectionate Cousin and Chief,

Lovat.

To Captain Tho. Frazer, These.

Dear Tom.

Rotterdam, 14 Dec. 1703.

I Wonder I do not hear from you. I hope you are well, and that you do brave Things. To Morrow I begin the dangerous Journey that we made last Year : If I were over that, I hope to be soon with you. For God's sake do Gallant Things, and do not fear to see me very soon. I am

Yours,
Lovat.

To Mr. Smith at the Marine Coffee-house, in Pickadilly.

[Note, By Smith is meant Keith.]

My Dear Will.

Rotterdam, 14 Dec. 1703.

I Believe you are not in the Land of the Living, or John Smeaton could not be so soon forgot by you. I have been very unlucky, but never so miserable as I would be, by being neglected by you and your Uncle, the only two Friends I have in the World. I believe all the Witches of my Enemies Country have Conspired to keep me here. I was kept Twelve Days by my Bills, when I got them. The Storm came to Ruine me, as well as King Charles the Third, who lost all his Plate, Clothes and Equipage, many of his Men and Officers ; the Loss is universal, and so great, that the States conceal it as much as they can : for, as unlucky as I am, I think the Poor King of Spain is yet more unlucky ; for he has not only the French that Fight against him, but the Heavens and Seas seem to Fight against him. But we hope that a hard beginning may be a good beginning. I hear Sir John Maclean and his Wife are come to London ; pray see him, and Conjure him to do Brave Just Things to his Creditor, and all of us. As I Conjure you to do this, so I advertise you to tell him no more, than what you would tell for a Shilling to any Body. I would have gone away Seven days ago, but my Friends told me, That it was something impossible to pass without the Pass-Port of the States. I sent Money for it to the Hague to procure it, and whether I get it or not, I go after to morrow to attempt this confounded dangerous Journey. If you love me, let me hear from you, with a full Account of every thing, English and Scotch. I have a Fever this Two Days, and I rather be hang'd in any other Country, than dye in this. I need not write to John, but send him this, by which I Conjure him to come immediately to London. His Friend and mine, the Knight-Arrant, Sir David Lyndsay, is at London, I hope you will find out his new Poetick Fancy. I can get no Account of Muravinus Tulliberdimus, that betrayed the Scots to the English at the Water of Cairn, (if he went not to France by Calais.) I give my kind Respects to all the Dear Family of your Grandfather. Adieu, my most dear Friend. I am,

Yours,
John Smeaton.

I thought fit to send the inclosed Gazette, where you see the Fall of the Roman Empire, and desire you send both this, and the Gazette inclosed, to John or to Robert to be sent. John, Adieu.

To Mr. Ralphson, at London.

[Note, By Ralphson, is meant Ferguson.]

S I R,

I Received the Honour of yours of the Twenty-sixth of November, for which I give you my hearty Thanks. I met with such hindrances here, that I could not as yet begin my Journey as yet to my Garison ; and the Roads are so full of Parties, that it is a most dangerous Attempt. I resolve to venture it to morrow or next Day. You may be assured, that I will do you all the Justice imaginable with our General and Superior Officers. I will be sure to lay your Demands before them in the most Advantageous Terms I can ; yet I could wish I had something Material from you to tell them : for what you told me of the Publick Proceedings of Parliament is in the Printed Votes and Gazettes, which they have by every Post ; for one of my Friends here sends it punctually. So I would be thought very Barren, if I have no more Information from you to give them, than what is in the Publick Papers. As to what you writ of my taking Care of being Transported to particular Resentments in Prejudice of my Generals Interest, I do assure you, That you need not be afraid of it, for I always did and will Prefer my Honour, and my Superiors Interest, to my own Private Concerns ; but I know most certainly, that those you call my Enemies, as well as those you call my Friends, have equally a Dislike to my General, and that they will both serve him at the same time, that is, never till they are forced to it ; and as I do design to give a real Account to those that you call my Friends ; that is, that my General need expect no favour from them ; so I would wish that you and all those that are his good Friends, might not be deluded by the sneaking Pretences of those, who have no other end or design than to make a Party in the C. Army, to force Pensions and Places from the Government. We have no fresh News here, but the Account we have from Germany, of the Dismal Account that the Empire is in, all Hungary under the Rebels, Ausburgh besieged by the Duke of Bavaria, Philipsburgh and Mayance exposed to the French, and no appearance of any Succor or Assistance to Recover them of their Loss. The Duke of Vendosme is Master of the best part of Piedmont, and the Marechall de Theffe Master of all Savoy. The Loss of the last Storm occasions a great Lamentation

Lamentation here, and has been very universal. Pray let me hear from you; if you give it to the Bearer, it will come safe to my hands. I give my kind Service to all your Family; and believe that I am,

S I R,

Rotterdam 14 Dec.
1703.

Your Affectionate Humble Servant,

John Smeaton.

Smeaton's Letter to Tho. Clarke; with One Inclosed to Colin Campbell, in which is inclosed One to E. L. One to Mr. Keith, and One to Col. Walter Corbet.

To Mr. Tho. Clarke, Apothecary in Watling-street, over-against St. Austins Church, near St. Paul's Church-yard, London.

My Dear Friend,

THIS is to let you know, that I am come safe here, but in bad Health. I hope to recover soon, for I am in good Hands. I am greatly received. I hope Matters will go right as you would wish. Pray deliver the Inclosed Letters right: And if my Cousin Campbell be gone for Scotland, send my Letter after him. I am sure he has left a Direction; if not, send it with a Cover to Col. Corbet. Pray let me hear from you, with a full Account of the Parliament, and when King Charles goes away. I ever am,

P. the 3d Jan.
1704

Yours

John Smeaton.

Inclosed, One to Colin Campbell, in which is inclosed One to E. L. One to Mr. Keith, and One to Col. Walter Corbet, as follow.

To Mr. Colin Campbell, next Door to the Hampshire-hog, in Charles-street, Westminster.

My Dearest Cus.

P. 3d Jan. 1704.

THIS is to let you know, that I am come alive here, and that's all; for I am very ill with a Swelling and Pain in my Knees and Legs, I cannot go Abroad for a Fortnight. Every thing will go right here. Tell my Great Friend, That I will do effectually what I promised for him. I hope he will give you the 100*l*. I was obliged to borrow. Let me know how Matters goes with your self. I hope that Tom will do brave things, for I will assure him of Relief. Pray let me know what your Brother does, I fear he will be sent back; but if they order him, let him slip privately down, and he will see me before the Spring is past, if I be in Health. I can't be full in this, because I have not yet seen the Great Folks, only heard from them. Pray let me hear from you, and Direct to Mr. John Smeaton to the Care of Mr. Vincent Neerinx, Merchant in Rotterdam. My Dearest, while I Breathe, I am,

Give the Inclosed to my stedfast Friend L.
who will help you to get the 100*l*. from
his Friend the D.

Yours,

Jo. Smeaton.

To E. L.

My Dear L.

I Have presumed to trouble you with this, to let you know that I am alive here; but very ill in my Health; however I hope to recover in a Month, for I have an able Physician that attends me. I am greater here than ever; so that you may assure your Friend, that I will do what he askt of me very effectually. Those People carry on things here just as I told him, and that Great Person he serves is much Infatuate to trust them. I hope you will not forget me, nor let your Friend forget me, since I am most intirely,

P. 3d Jan. 1704.

Your own,

Jo. Campbell.

To Mr. Keith, at the Marine Coffee-house in Pickadilly, in London.

My most Dear Friend,

THIS is to let you know, that I am come alive here, but very ill. I will be a Month in Mac-Gier's Hands before I can be well. I hope all things go well, for my Friends are still my Friends. Your Nephew is impatiently expected; so send him this, by which I Conjure him to make no Delay. My Dear, you have been very unkind not to write to me, since I left you. Pray send me a long Letter, and let me know when the King of Spain goes from England. Direct to me, to Mr. John Smeaton, to the Care of Mr. Vincent Neerinx, Merchant in Rotterdam, and it will come safe to my Hands. Let John come his way, and he will put him right. Pray let me know how all Matters goes with our Great Ones, and with the E. P. I will long extremely to hear from you. I ever am,

Yours sincerely, without Alteration,

Edinburgh, 3d Jan.
1704

John Smeaton.

To the Honourable Colonel Walter Corbet, first Major of Her Majesties Regiment of Foot-Guards in Scotland.

[Note, By Walter Corbet is meant Captain Macleod.]

My Dear Cus.

I have sent you this to let you know, that I am come alive here, but that's all, for I am ill in my Health; if that was well, I hope all other things will go right. I hope T. has done good Things, since I will be sure to relieve him. I cannot yet tell how long I may stay here, but I will not be idle: and keep you right, and Charles, as I spoke to him. My kind Service to your Lady, and to the Infanta. I ever am,

P. the 3d Jan. 1704.

Your own,

Jo. Smeaton.

The House this Day having opened and read the remaining Papers, in relation to the *Scottish Conspiracy*; It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That this House shall take all the said Papers into Consideration on *Munday* next at Twelve of the Clock.

Die Luna 14 Februarii, 1703.

The House, pursuant to the Order of the Ninth Instant, took into Consideration the Narratives and Papers, formerly read in this House, in relation to the *Scottish Conspiracy*.

After Reading several of them, and Debate thereupon, the following Order was made:

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Gentleman-Usher of the Black-Rod attending this House, his Deputy or Deputies, do immediately Attach the Body of *William Keith*, and keep him in safe Custody, in order to his being Examined by this House: And that in the mean time no Person or Persons be allow'd to speak with him, nor he to have Pen, Ink or Paper, until further Order of this House: And this shall be a sufficient Warrant on that behalf.

To the Gentleman-Usher of the Black-Rod attending this House, his Deputy and Deputies, and every of them.

Then after Reading other Papers, and farther Debate thereupon, the House Agreed and Ordered as follows:

That an humble Address be presented to Her Majesty from this House, desiring Her Majesty to lay before this House, several other Papers relating to the Conspiracy in *Scotland*, and also upon the Subject-Matter of the Debate of this House.

Then it was Ordered, as follows:

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Lords, this Day present in the House, shall be a Committee to draw an humble Address to be presented to Her Majesty from this House, desiring Her Majesty to lay before this House, several other Papers relating to the Conspiracy in *Scotland*, and also upon the Subject-Matter of the Debate of this House relating thereunto.

Die Martis 15 Februarii, 1703.

The Duke of *Bolton* reported from the Lords Committees, the Address drawn by them, which was read Paragraph by Paragraph, and with some Amendments, was agreed to by the House, as follows, viz.

WE Your Majesties most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament Assembled, humbly beg leave to acquaint Your Majesty, That having (according to our Duty, and Your Majesties Royal Intention) taken into our most Serious Consideration, the Papers laid before us by the Earl of Nottingham, relating to the very ill Practices and Designs carried on in Scotland, by Emissaries from France; We find mention made therein of several other Papers not yet brought to the House, which we have reason to believe are very material, as well for Setting those wicked and dangerous Conspiracies in a due Light, as for our forming a Right Judgment upon the whole Matter in Particular.

- " The Account of Designs of an Insurrection in *Scotland*, which, by Your Majesties Commands, the Earl of Nottingham communicated to the Duke of *Queensberry*.
- " Mr. Stanhope's Letter or Memorial, giving an Account of Money to be remitted into *Scotland* and *Ireland*, with the Persons Names to whom the same was to be paid.
- " The Letter wrote by an Officer of the Garison of *Inverlochy* to the Governour, of a Design to draw great Numbers together under Pretence of Hunting.
- " The Letters Intercepted going from *France* to *Scotland*, written in a *Gibberish* Language, wherein the Conspiracy is said to be contained.
- " One Letter going from *Scotland* to *France* to the late Queen at *St. Germains*, written in the same sort of Language.
- " A Letter written by the proper Hand of the late Queen at *St. Germains*, to some Person in *Scotland*.
- " The Letters or Accounts transmitted from the Duke of *Queensberry*, as far as they relate to the Transactions with *Frazer*, or any Conspiracy in *Scotland*.
- " The Original Examinations of Sir *John Maclean*, *Campbell*, *Clarke*, *Ferguson*, *Lindsay*, *Keith*, and Mrs. *Fox*.
- " The Commission and Credentials from the Pretended Prince of *Wales*, to *Frazer*.

With

With all possible Respect to Your Majesty, and Deference to Your Royal Judgment, We desire these Papers may be Communicated to the House; as also an Affidavit concerning the Lord Belhaven, which we are inform'd is Lodged in one of the Secretaries Offices, together with such other Papers, relating to any Treasonable Designs, which have been on foot in Scotland, since Your Majesties happy Accession to the Throne, as Your Majesty in Your Wisdom shall think fit.

It is not our Meaning by this Address, nor was it ever the Intention of the House, to desire that the Matter which Your Majesty was pleased to signify by the Earl of Nottingham, could not be then properly Communicated, without Prejudice to the Publick-Service, should be brought before the House, till such time as Your Majesty should judge it convenient; And therefore we take this Opportunity to say, That if a fair Representation had been made to Your Majesty, of what was universally profess'd and declared to be the Sense of the House throughout the whole Debate: Upon which our Address of the 20th of January was form'd, it could not have been Interpreted, as Pressing Your Majesty to lay that Matter before us, sooner than consist'd with Your Majesties Pleasure.

We remain still in hopes, That according to Your Majesties Gracious Intimation, there may be a proper time before the End of this Session, to Communicate that Matter to us without Inconvenience to the Publick.

We are deeply sensible, That Your Majesty and Your People cannot be safe, while the Designs of the Emisseries of France, and the Abettors of the Pretended Prince of Wales, in any part of Your Dominions, are not thoroughly Search'd into, and Discovered; and that an Imperfect and Partial Inquiry into them, will rather Encourage than Prevent them.

It is upon this Account, That with so much Dutiful Zeal, (which we are sure will be always acceptable to Your Majesty) We desire to have all the Informations we can, before we proceed to offer to Your Majesty our humble Advice of what may best Contribute, in the present Juncture, to the Honour and Safety of Your Majesty, and the Security and Tranquillity of Your Dominions.

And upon this Occasion we presume to renew to Your Majesty, the Promise made in our Address, of the 16th of January last, That no Dangers, nor Reproaches, nor any Artifices whatsoever, shall deter or divert us, from using our utmost Endeavours, from time to time, in Discovering and Opposing all Contrivances and Attempts against Your Royal Person and Government, and the Protestant Succession, as Established by Law.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Duke of Bolton, the Duke of Newcastle, the Earl of Rivers, the Earl of Kingston, the Lord Viscount Say and Seal, the Lord Viscount Townshend, the Lord Bishop of Coventry and Litchfield, the Lord Bishop of Oxford, the Lord Ferrers, and the Lord Hervey, do Attend Her Majesty with the Address agreed to this Day, relating to the Scottish Conspiracy.

Die Mercurii, 16 Februarii, 1703.

The Duke of Bolton reported Her Majesties Answer to the Address, in relation to the Scottish Papers, viz.

I Have Ordered such Papers to be laid before you, according to your Desire in this Address, as are now ready, and would have Ordered them at first, had I imagined they would have been expected; but some of the Particulars being contained in Letters written to My Self, which will require a little time to be Extracted, and others being in the Hands of the Secretary of Scotland; I am not yet able to make a full Answer to your Address, but you shall have a more particular Answer with all convenient Speed.

Die Sabbati, 19 Februarii, 1703.

The Earl of Nottingham, by Her Majesties Command, acquainted the House as follows, viz.

"The Queen has Commanded me to acquaint your Lordships, That Her Majesty has now sent you the Papers desired in your last Address, except the Information in which the Lord Belhaven's Name is mentioned, and which was sent to the Duke of Queensberry, who has left it in Scotland, but is Ordered to send for it.

"I am likewise Commanded farther to tell your Lordships, That according to Her Promise, Her Majesty has now given me leave to inform you of that particular Matter, which She thought proper for some time to reserve.

"There are among these Papers some Letters in Gibberish, which want Explaining; but as Her Majesty is now pleased to Communicate to the House a Particular, which she thought proper to Reserve for some time, lest it might prevent farther Discoveries; so Her Majesty thinks it for the Publick Service, not to take any farther notice of these Letters.

Then the Earl of Nottingham acquainting the House, That he had very lately received a Letter by the Discovery of Mr. Keith, upon which he thought it proper that Mr. Keith should be Examined in order to Explain some things in it; It was thereupon Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Lord-Steward, Duke of Somerset, Earl of Sunderland, Earl of Scarborough, Earl of Nottingham, Lord Viscount Townshend, Lord Wharton, and the Lord Sommers, or any Five of them, do meet presently where they please, in order to Examine the said William Keith, and to Adjourn to what Time and Place they shall think fit.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Officer, in whose Custody William Keith is, do immediately carry him to the Secretaries-Office, or what other Place the Lords Committees above-named shall direct, in order to his being Examined by them.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Letters and Papers delivered this Day (by Her Majesties Command) by the Earl of Nottingham, shall be taken into Consideration on Tuesday next, at One a Clock, and that in the mean time they do lie on the Table, to be perused by the Lords.

Die Lune, 21 Februarii, 1703.

The Duke of Somerset reported, That he and the other Lords, had Examined Mr. Keith, concerning a Letter received by the Earl of Nottingham by the Discovery of Mr. Keith; and that they were of Opinion, That Mr. Keith had prevaricated with the Lords, and that he did know the meaning of several things in the Letters, which he would not disclose.

Where-

Whereupon the Order following was made :

It is Declared by the Lords Spiritual and Temporal in Parliament Assembled, That Mr. *William Keith*, (upon his Examination by the Lords appointed to Examine him by this House) hath Prevaricated with this House, and by his Behaviour does not seem an Object worthy of Her Majesties Mercy.

The Two Letters upon which Mr. *Keith* was Examined, follow, *in hæc verba*.

To Mr. Smith, to be left for him at the Marine Coffee-House, near St. James's Church, in Pickadilly, London.

[Note, By Smith, * meant Keith.]

My Dear Friend,

YOur long silence begins to be so uneasy to me, that I can no longer find out Excuses for it; which if you do your self to your Advantage, I shall be easily satisfied, notwithstanding of the Trouble it gives me. I wrote to you several times from *Edenburgh*, and on my rode to this Place, to which I thought I might have expected Answers, particularly concerning Captain *Craford*, who you saw when I was with you last, and his Affair. He parted from *Edenburgh* above Six Weeks ago, in order to go to *London*, and from thence to whence he came. You would see by my last, that I should be impatient till I heard of his being gone. I do not doubt but you have heard of him, for he was to inquire about you, so soon as he came there. So I intreat you once more, that as soon as is possible you may let me know what is become of him, with a full Account of your self what you are doing, and what you design to do: for I find all your Friends here as much in the Mist about you as I am; which I am perswaded you'll own, to be contrer to the Common Rules of Justice and Civility to true Friends and near Relations: for I think I may freely say, That you would not have stayed there all this time, without being assured of something worth your while, either by *Merege*, which I find would be the most acceptable to your Friends here, or some other way: For I do assure you, That your Fathers Circumstances are such, that of a long time he shall not be able to Assist you; so lay your Account by it, and make good use of what you have got. I am sorry to write you so bad News, but it is better you should know it now, than when you cannot so well help it. Your Mother, in whose House I am at present, hath been very ill since I came to this Country, which I imputed much to her Anxiety about you, her Love for you, with the want of Knowledge of what you are doing, or what you intend; which is really unpardonable to so loving a Mother as you have, who never longed more to see you than now. Your Sister is very well, and gives you her Service, who is likewise very Anxious to see you; she is one of the most Accomplished Gentlewomen of her Age, I have seen since I came to the Country; she deserves your Love and Esteem, as I find she hath for you. I would say much more to you of my own particular, but the uncertainty that I am in about you, obliges me to refer it to a better Occasion: only I beg once more of you, the moment you receive this, you may write me a full Account of every thing, particularly about your self, whether I may expect to see you at *London*, and where; for if it please God, once the next Month, I shall be there. I intreat, if you see Young *Boine*, give my Service to him. I should be glad likewise to know if I might expect to see him there at the same time. I am resolved to be free with him, which I have not been as yet, for reasons I shall tell you at meeting; wherefore I expect you will be able to give me an Account of him: I beg once more, you may delay no time in writing to me so soon as you receive this, and send it under a Cover for me to Mr. *James Grange* of *Neuton*, in the *Land-Market* at *Edenburgh*: Adieu, my Dear Friend, but be more mindful of those that wishes you well.

Dec. 16.
1703.

Desire *Neuton*, in your Cover, to keep my Letter till I call for it.

To Mr. Smith, to be left for him at the Marine Coffee-House, near St. James's Church, in Pickadilly, London.

[Note, By Smith, is meant Keith.]

My Dear Friend,

Aberdeen 30 January, 1704.

IT is needless for me to pretend to express the satisfaction I had, when I was Informed of your being delivered of the Goods that lay so long and heavy on your hands, since my Interest was so Considerable in them; but since it hath pleased God to deliver us of that Misfortune, let us joyn our hands to deliver one another, whose Circumstances would be much harder, were they as publicly known, which you know is a daily Hazard, it not being possible for him to keep them altogether within himself: however, I find he doth not want Friends, and I hope will get them concealed till once he get off, which he is resolved to do as quickly as he can, being at present in a very fair way for it, and is to carry along with him what of his small Stock conveniently he can. But he says for all his haste, and all the freight he is put to, if you will make haste, and come to the Kingdom immediately, since you are coming soon, however he would wait yet some Days for your Advice. The Gentleman I speak of left a Wig with you, the last time he saw you, to be Sold. He says, If he were at as much freedom as you are, he would go immediately on purpose to you. So I intreat you may let me know, on receipt of this, what he is to expect by my Friends at *Aberdeen*, where he is at present; and likewise by his

at *Dundee*, where he may chance to be about that time. I hope you received my last, with some Swatches of Silk-Stuffs. Let me know if I may expect them, according to Demand; as likewise the rest of the Commissions was in my Letter. Give my Service to my Brother-in-Law, when you see him. So hoping to have the satisfaction of seeing you shortly, is all at present from

Your most Affectionate Friend,
and Humble Servant,

Jo. Smith.

Die Martis, 22 Februarii, 1703.

The House proceeded to Read the Papers delivered in by the Earl of Nottingham, the 19th Instant, relating to the Scottish Conspiracy, viz.

Extract of a Letter from Mr. Stanhope, to Mr. Secretary Hedges, dated *Hague*, 2^o July, 1703.

AFTER I had sent my Letters to the Post, *Tuesday* Night, I received the inclosed, which I send you with the Cover, just as I receiv'd it; nor do I know, or can guess from whom it came: however, the Contents are of such Concern, that I think it my Duty to transmit it to you. I have only this one Remark to make upon it, that it is dated as from *Amsterdam*, and marked on the out-side, *Two Stivers for the Post*, whereas the Letters from *Amsterdam* constantly pay three.

For the Right Honourable Mr. Stanhope, Envoy and Plenipotentiary from the Queen of England at the Hague.

Honoured Sir,

Amsterdam July 15th. 1703.

THERE is something Pernicious to our Queen and Her Government working in *England*, *Scotland* and *Ireland*; for here are great Remittances of Money from *Paris* and from *Lisle*, to the D. of *Hamilton* 50000 Pistols, to Sir *Robert Hamilton*, Knight, 25000 Pistols, to *William Worth*, Esq; 25000 Pistols: these two latter are in *Ireland*, most of this Money is already drawn for. This Money has pass'd through my Hands; to appear in this would ruin me and my Partners; however, this I thought my Duty. Adieu.

Extract of a Letter from Mr. Stanhope to Mr. Secretary Hedges, Dated at the Hague, 31^o August, 1703.

I HAVE heard nothing more of Remittances to *Scotland* from this Country, *Lisle* or any other part, since the Mystical Letter, of which, about two Months ago, I sent you the Original: Nothing is come since of that kind to my knowledge, either from the same or any other hand; but since what has lately happen'd in that Country, makes it Suspicious, there was some ground for that first Advice. I will try if among my Friends at *Amsterdam*, I can make any farther Discovery; in order to which, if you could send me back that same Letter I sent you, it might be of use, by the Lights it might give us by the hand and Character.

Mrs. Fox's Letter to the Earl of Nottingham.

YOUR Lordship having been pleased to say, that you would acquaint the Queen with the Reasons I gave for my going and coming back from *France*, makes me with the greatest Submission, humbly beg to know, if I may hope the Queen will graciously Commiserate my unhappy State, that made me chuse so distant a Retreat, and which obliged me by necessity to Return.

I call God Almighty to Witness (to my knowledge) I never Offended the Queen or this Government, except in my coming to *England*, which fault was occasioned by my Ignorance, and Necessity; being told that since I went with a Pass to *France*, I safely might return: The certainty of my wanting Bread in a strange Country, if I staid longer, (my little Fortune being in *England*) and all Commerce being stopped under so great a Penalty, it was impossible for me to hope to get a Licence, or any Return of Money.

This, my Lord, I protest before Almighty God, was the occasion of my coming, and the only cause; but if I am so unfortunate to be represented under an unjust Character, I beg it as a Common Justice, that I may appear face to face with my Accuser; your Lordship will then easily judge of my Innocency: but if nothing but my coming out of *France* be alledged against me, I can only throw my self at Her Majesties Feet, and with the Greatest Humility, humbly Implore Her Mercy.

If your Lordships great Goodness can extend so far to have Compassion for me, it will be the greatest Charity; for Eight Weeks close Confinement, the Change of Air, and drinking Differently, has thrown me into so great a Disorder, that to give me Liberty, is almost to give me Life, which I should ever, in the most humble manner, acknowledge as such, being with the greatest Submission and Veneration;

My Lord,

Your Lordships,

Most Humble and most
Respectful Servant.

Frances Fox.

Jan. 2. 1704.

Commission to Lord Lovat, to be Colonel of a Regiment in Scotland.

L. S.

JAMES R.

James the Eighth, by the Grace of God, King of Scotland, England, France and Ireland, Defender of the Faith, &c. to our Right Trusty and Well-beloved Symon Lord Lovat, Greeting. We reposing especial Trust and Confidence in your Loyalty, Courage and good Conduct, do by these Presents Confirm and Appoint you to be Colonel of a Regiment of Foot, to be Raised for our Service, in our Ancient Kingdom of Scotland, and Captain of a Company in the said Regiment. You are therefore to take the said Regiment as Colonel, and the said Company as Captain, into your Care and Charge, and duly to Exercise as well the Officers as Soldiers thereof in Arms, and to do your utmost Endeavours to keep them in good Order and Discipline: And we do hereby command them to be obedient to you, as their Colonel and Captain, and you to observe and follow such Orders and Directions, as you shall, from time to time, receive from us, or any your Superiour Officers, according to the Rules and Discipline of War, and in pursuance of the Trust and Confidence, we have hereby Reposed in you. *Given at our Court at St. Germain, the 25th Day of February, 1703. And in the Second Year of our Reign.*

By his Majesties Command,

Middleton.

The Four Gibberish Letters.

To my Lord 3.

Dunes, Morion, mouafadan lopais emisi pori Savney berin, ca domafadan Menzion dizomeria celo, sandar herentiona Zamada; ca fa duso genazadan rezzion mulin, Olezza Celtis sedi fa percitilis moni Zannimioni Scozon ta bizendar fortidoinehni dufoso Masar famonin gronion devandi hationes nemageis; momendi; Zaposi mofion dunis Molai manafa Moserion Torci, ci bizadi fa mon mentido dunais Ozendionisi, ta men serafad Marones aden punationes fenender nu Zamifada, quah bizadi poden airar con madian mezallioni rozadoi, co fedu veri marzion celo; ozenafa ta norien dubadi vafanai zan Scoza banton to beis, sani zerri munioni co fennaredi birifti, dan fovi hationes, fo marones omegani Zafanda pori premisses, quan unaldri Zeffultion Sennaredi Zunon mofiliari, Zaden pozi mongarezionni Sani Zerrais etringisi garrioni, ta voffion Celti; point L' argent point de Suisse, febadi fa posibili povolei Scozi, cosi Zunaldri jandioni dezota Zornais adenta filci feneder innadini mofiliaries, aden Cuvantes agrazar senu coleriones hes piazzad aduni Mezallanai Zaden vandana, egano Zozenafa gori Preladinis Richlieu mafi zonerrioni mezalludos dubadi zezitan tamin movillion fa lezion, an Scoza, Samogan costi volar Sebistin rozionis, ta nungi febadi casion monifti maniano Zaden mogomuli Zoticion ventioni, ta filci Sennaredi fumption nungan Celtais, norien Seneradi bonnerion mulifti Zanchefa, Zaden rooooo I. an Scoza remared Cilion an Flandris; aden funi Rhenion; bizadi tolinden sandir emais argufionisi Zaden men curafad vafar arcules pero zenni rezzioni ca domared Rosioni Celti segondi cedafa, Zaden solioni profitien manafa quan men andisafad emas argufiones domaradan menfion tolindin, talo norien mangodi, mofizegules adiones ponderandi, pifa febodi mon, ta banta pordiones Ottanender, mongeur vageis balansanidizan artioni zaden zurioni Scozei, Zaden eguli Zarezion celoni voianidi, con cura, vos Morionezzan carar, aden nagozar ennin andifion, duni folari fofensioni, Zaden repantar ilcios co febodi libavion dizomeri.

Morion,

Vos Morionezag,

Figellissimo Esfapanti.

Jun. 1. 1703.

P. S.

Vos Morionessa rezalaros Cordeggion enni parcodi Panafan rules calminies enni dremudi.

To my Lord 7.

Morian,

MEda ben tomi gondellion rithman Morioni 3 menicafudos can zafad subreni Monderion, enno sibilari
 a Zontion dezramienti Zerri gositioni, co zaprefan, Tias gradionedi, fahieri zebandioni dunedi ta-
 zafan onnin beruda momendiari zagurioni zabanta dilalin aspartion todeis circulon, anon Junos segar
 eperdion dubedi, mofi difamienta Zonderri dunemes ca medarodon apifan fobindi Zolezzei zan uanerso
 Zenno raider hes malisti proantes andurando, bondia canfibemedes diferrin fel nu profadan mendu-
 nion sberadon vonon anonnisi visionais, aden fpetiandi fennadioni bennanti funnicos ottamenta Zuropi
 bozonder, vonon propotiones, aden folumenta Zafinorodon onniosi, coneggi gunna pifudes libander ri-
 fumentu duni fenionili zaden volnadi Mafioni vona dureffiones abermando peculia duna Zacondri pre-
 valadan birezzan dberi fennadioni ta poligia scozis Zeverodon nu fa Zonniendi rupedi fanu regonar
 algunin ogettion feni fenionili verbioni, pifamenti, zaden degorias Zennota crudion falfioni fa fevin
 Esbargadon ghrar ottamenta fenon amhndi febrei reggioni, Zennozenni, nufa dubedi zabalar
 egulin ogettion livandioni vero Tias, pifamenti vero nadin Berinuda, Zaden Padioni vero Merigian ca
 baccata dozumendioni faiffonias dimentifadan fenai scozes fazon aventuda Zannoveri pluno Za-
 gurion amentan nonelli dues pligadunes bifunisi bontais, enrica nu decontan; mofi parcion maga-
 riftin duraraffar nami fortindi recasar; guni cedion ocheffi nami morionil fennaridi, recaffion tani
 Zabanta figiones, toda Monados dubender rezziones nonon forar aden lizar monin omendion, co duso
 ladozozan medar regioneffan galifin parcioni degorafi Zanscoza, nulinga V. Mor. cios pifadion egulin-
 den: ebandan, cimicos fennadi Zapropin anbantar ennin ebition odreffis, ci nuzafaden dunin pro-
 vafion fa Zacmilin, Bola hes potar cofedi Zamanado peroni hifi; zacronin novar rubeffiones; funi ca
 dubender fa monin carellan departar cofi febadi ditambioni hieriffin congrudion; fa Celtis olezza decroni
 pontava Magariffin avolfion apoftandi zemin lugerion, affanti monin anition morinifi Zagezendais, enno
 pufabilifi scozon, aden onuchi pruragion an zerri Ronioni, nami fender luzatra, nen vafar ottafindes
 Birones abrenar fionell lugerion, enno Zambimanan fa hierin congrudion denetandi fenemes peroni Zer-
 rais aduraffionifi Zancais anrezander corando Zunamenton hatadon fenni dipifudi zaden comentioni
 diprovafias: faten affanti hierin ottadion fenon rezzioneis antambo medarod birian prozzandi banta
 Zoramenta, zenno furbandiones noduni vafada, funnerchus coden Bafarifi, cohoben Zanimadi zofion fa
 mon anpudado, cofi libar Novagon meportioni medarod fa morionil icion codenationi pori revicuda
 Zemberudos, cofi Zannablar Celtes anbonair guferiones odreffis, Zenno tarar Badafes bontifi fionell, ci
 fender nami pufanes nu Zottar provioni dirimion enno pufar fennin lugonon, Jubioni Ebadafeis redufado,
 celtes dubenodender commanar faiffonifi Zonais anagudi, co bonton fedi pluno pifatili trazanta Tuigin,
 canni Zanderri faiffones, amer funoden embemezer tafi dubenonder fara Monfortameden, anpellar fennin
 mentenfion aden emes afilar, fara mepordameden an zenni muli Zofioni, delegelli Zampulfion hes
 pueharod Jadar ottamenta funi scozan aden nigar vingion calen partar deffernili debiaffioni cafi medafa,
 V. Mor. anomerion sibilarin gositioneis affanton, talo zafa nuden pluni codenco mobilar, V. Mor. mofi
 Zanorar ta zampellames Morilin dunin ardion, enno fagadion an travadioni gositioneis nonon affadioni
 bennanti Zaden degoradion men anferar reverdioni Protini femi,

Morian,

Vo. Mor.

Figillifimo Eflavanti.

June 1. 1703.

To Philotheus.

SIR,

DUnadan vona zonni Movellion cofedi, folari ginen orradion afa ricar zemberementa duna Ligufen
 ifadod men alibar, eparbus cadudi men medafad nu penulin demenzion, ovenar agunas fa defendiles
 cofi nen Menzanai zezeton onellia dunender femaidais, Provfionifi grabafa subrenes Oramuda, ca vafa-
 van medameden Movellion tolindi povellionifi bantais, ifadod hes fenai fendiles, tazafan nunelles parciona
 zolibar ces deparderod ender Monados feni Maxxioni zaden proanfia mes falandi, cenza ta fender casqui
 proantes ci pori Sunecion fionel maladioneis Nami, fuluadan odreffes enna debizantes ta zonci debender
 depunion marrir nu cenzadan familiarin adian erri Mafioni cafedi nen Monados didevitar mofi hes grafir,
 adio zoden Marrimirodon, ebandameden funi tada gravines feramenta cofi febander medada zeno cofi
 funeciffes horioni fender odreffis pradameden gronionifi zelucerudi zenno tepionia an Carudi decritar
 Mentazion Maladioneis fenon nuzifadod animar ungiori Luzameden antini iudion cofi trazzionudi Breda,
 nu fermen, Tias gradionedi anfa camifi perfiffionais cofi carlo bizuni zatembo degad gronuden dicibar aden
 fenai zorares dan agauer triciffion funi teras difomines aden positiona fannicofiles; cofi fenemes an
 moniffifi perfiffionas femin fahes rofpecularueden ta fendar an mulien pradiffifi fennenes, dan Jannerionifi
 fenais femeganti circules pazados ci zatembo febander Molaris Mulionezza an erri ridionia zaden onellia
 rezafadan adonindi rezzion Nungi diridemado zaden ci boladan mes fazar amendioni fender pufatilindes
 an omni fpetiamenti fendi hes nen fazarodon funi puniarion cozanimameden lugerion femin, enno vozame-
 den fon birioniffi mofi Garameden nuzan benar nami vesbrenen emis rozion virilis cofi fedi paradus
 banton onuchis emanorod, cofi proandi Nogafa fenin garidionezzan povellionifi cunais, ci zoden
 dezerarodon enno cofi taderod medar monais dezotudufi movellion onuchin an onnais cofilifi, fa zalimannen
 nen funttazarodi, zaden alibarodi delli penniarando luhinundes aden anctiles emigias erri prodegion aldudi
 morionil nami fennadi mafioni feni; zaden acemption, Nen curtaremed errin azeluda conungi pefad
 poligian fenin, adio fen gannulius enno pariffa nu pederadan errin afumendion fiendilin: cuvata zennes
 adalguda livia Marenden ta febodi plumon, fendi zabanta cafimannion, femender funi zegulin ftapion coden
 hais, ci nonza dezaltar fadan mofi zarracar onnion enno difportar hes, ci zafan marrion perinili fedi
 fannicofilindi fonen feriandi funtazannion, co zungi fupozabado cogudes Berinudos oden vafabadi zan
 scoza, zenno nen olamaredi zan odri merigia, bola tadu diventia zozunaremes, erri rezzion facen duonell
 ojetamenta febander fanni zoriandozennin ebition, co ventuni hes ageramed, bennando delli mifi, non
 femi farado, duni zamendeoni fazar fa monin cafuda zennoduni Lugereoni zaden birias hes anderi can
 Jourelli colunatas pon cogurin dinotitian canen febady zacondrel erri faberi Jurieffei co regulinden,
 dunafad venerion cuneis monon mofi nufon sibilariffen, dan

V. M.

Madame,

Madame,

AN Barando zaplomenta U. M. colata bonton alazorei U. M. Pontafas meni adizar Sebondi Penfionu. Zemin ovenafa Zaprendi mogo nolin enni ferionin coporadden acon seni facudos aden nenin mangaudia ligafudos fo cardionis toran U. M. aden Berinudos seni Vasseligion onni nienzion Dubami den hi luzar fedi ta conunca Rozion benorod dubimia Zaffani meligar senes airoles, neri decarorod vafar banta zan Seni dubimia zallavar vorin luzerion mosi pori radition tobi logadoi Seni garundi meri andizafad neri dubadi zoremar cofion conen Senaridi zan polemudi seni pratar hen labafa ta sebad Solumindi prassi tazemon aiotes degitameden guni pordion olingi nunca zofemedeni nadellion Suni noron libuda ta conjurion afandi Sinion zonderri cafamed Celtian an bini Sagudioni cofioneis noron; ridisafad ta doubadi nuploni zefpar, vafamared banta Zanseni biria mosi pori moniande guni cofion dezota Lopan, Senin banfafad fenai fannicofilindi zefrenai can hen palafa ta Cardion dinorin afamared alizarindi ridisafad ta cujamed nafa pratudes errais cei sabadi ligafus Senis allavar, ca Cafamared Banffiones dunerionis moni ai zenni buneorioni U. M. aprezanta fa zalazoreni Ortadion banzafa nen ovurdadad hen colar aploni zan rezioni cohen vafafad Sa Malonin; his fedi debiorundi biron dagarodias enni Suni con U. M. Zacridioni pilamares abonafa Morion Momerion ralguneis inhortudon emeis raden afa nuploni limar U. M. mosi zojunar an abanfion, gabar erra zodumenta ca zapofabander pori zubreni gondellion cadunder morindi Merzion andegrin moubolenti parcioni funoneis voron medar enni bozar Roffonis cafuda fani berin zodian ventionis zuos pavelion fedi zoramuda dizares.

*U. M.**London,
Oftob. 15.**Figelliffimo omilindi**Sunonei aden Eflavanti**Philarchus.*

The Letter of the late Queen at St. Germain's to L. M. Y.

May the 20th.

YOU may be sure, that when my Concerns require the Help of my Friends, you are one of the first I have in my View. I am satisfied you will not be wanting for any thing that may be in your Power, according to your Promise; and you may be assured of all such Returns as you can Expect from me and mine. The Bearer, who is known to you, will tell you more of my Friendship to you, and how much I rely on yours for me, and those I am concerned for.

*To L. M. Y.**M.*

Extract of a Letter from the Duke of Queensberry to the Queen.

Holy-Rood-House, August the 11th, 1703.

I Presumed lately to acquaint Your Majesty, That I had seen some Letters, from a Gentleman come from *France*, in which he spoke, with some assurance, of Overturning the Government here. Since that time, those who received the Letters asked Liberty from me to meet that Gentleman, that they might try if they could learn any thing that might be useful to Your Majesties Service, which I yielded to; and one of them had a long Conference with him, of which I have given Your Majesty an Account in a Memorial herewith Transmitted; and I beg of Your Majesty, that it may be kept as secret, and made known to as few as may be. I am not yet allowed to name the Persons, but if Your Majesty Commands me, I must Obey.

God knows whether the Story be True or False; but my Author is a Man of that Quality and Integrity, that I dare assure Your Majesty, there is neither Mistake nor Trick on his Part. And this I must say farther, That there are several Points, related in the Memorial, that are otherwise Confirmed: For I have seen a Letter to Brigadier *Maitland*, from one of his Officers, wherein he tells him, That he had Intelligence of a *Higbland* Hunting, where Six hundred of the Best of the Laird of *Grant's* Men were to be in Arms, and the Duke of *Hamilton*, and the Marquess of *Atboll*, were to be there: This Letter I have sent to Mr. *Nairn*. Major-General *Buchan* acknowledges, That one *Mackenzie* was put into the *Bastile* before he came away; besides the Total Desertion of all the Cavaliers; except my Lords of *Balcarras*, and *Wigtoun*, and *Dunmore*, at that Instant, when these last Orders came from *France*, and their Joyning in all things, contrary to the Prerogative of the Crown, with the Vote this Day of Arming of the Country, do mightily Instruct this Declaration, and it agrees, pretty well, with the Advertisement Mr. *Stanhope* had, about Money to be sent hither; but what ever is in the Matter, I thought it my Duty to represent it to Your Majesty.

I must beg leave to know from Your Majesty, if that Person shall apply to me, and be willing to own what he has said, how I shall use him. It's strange enough, that in his Circumstances he should have said so much; and it can hardly be Expected, that he will forsake what he may Expect from *France*, without getting some Terms from Your Majesty.

Extract

*Extract of a Letter from the Duke of Queensberry to the Queen.**Holy-Rood-House, September the 25th, 1703.*

I Have seen that Person of whom I formerly made mention to Your Majesty ; he Confirms all that he had said to those Persons, who had dealt betwixt us, and adds many things more. He says, He was let into all the secrets of the Correspondence of *Scots-men* with *St. Germain's*, and tells plainly, That very many do Correspond there. I am bound to tell Your Majesty (tho' I ought not to believe him) that he says, He saw a Letter last Winter, written by my Lord *Tarbat* to my Lord *Middleton*, bearing that he was made Secretary of State ; and that, in a short time, the Duke of *Queensberry* was to be Shifted out, so as he was to be sole Secretary, and would have all the Management of *Scots* Business in his hands ; that to secure their Friends, there would be a general Indemnity Past, and the North-Country and *Highlands* would be made all of a-piece ; that the Duke of *Queensberry* had received Five thousand Pounds from the Family of *Hanover* ; that my Lord *Middleton* said, He knew the Duke of *Hamilton* was capable to be Bribed, but did not believe the Duke of *Queensberry* would have taken Money. He Declares, That Mr. *Ogelby* of *Boyn*, has frequent Correspondence, which he begun when he went over to *France* about his Marble ; (yet I must do this Gentleman the Right to tell Your Majesty, That he did behave himself fairly in the Parliament, and there was none of the Gentlemen, who called themselves Cavaliers, that did keep their words so well to me as he did.) He Declares, That there were Three Letters written by the late Queen at *St. Germain's*, whereof one was Directed to the Duke of *Hamilton*, as Earl of *Arran*, which was Delivered by one Captain *James Murray* ; the other was Committed to the Person himself to Deliver to the Duke of *Gordon*, which he actually did before he had entred into any Correspondence with me ; and the Third was Directed to the Lord *Murray*, now Marquess of *Atboll*, which was not Delivered when he begun this Correspondence ; and that he found the way to be Master of that Letter, before it was Delivered, which he gave to me, and I have Transmitted to Your Majesty, without breaking the Seal, which is clear the Effigies of the King, Your Majesties Father. This Person is willing to come to *London*, and to give what Accounts he knows, provided he may do it secretly ; and he offers to Return to *France*, and Discover all the Correspondence and Designs ; but says, If he falls under Observation, or that he be Discovered, he runs the Risque to be Broke on the Wheel. He says, What Money is Transmitted yet from *France*, is only for the use of some particular Persons ; and that it comes by Bills to *London*, and brought hither *in Spécie*.

I confess it's hard to think, how one should know, or be ready to reveal so much ; yet the Delivering of that Principal Letter, and the shewing his own Commission, under the Hand and Seal of the Prince of *Wales*, as King *James* the Eighth and Third, which he says was the first Paper Sealed with his new Seal ; these do give Credit to what else could not have been so well Trusted. And he says, He has a Commission, as Major-General, from the *French* King, which lyes there, that it might give no Offence, till once the Forces designed were Raised. I thought it necessary to Entertain him with some Money, till Your Majesty do signify Your farther Pleasure about him.

To the Right Honourable Brigadier-General Maitland, Governor of Fort-William. To the Care of Captain Maitland, Agent to the aforesaid Brigadier his Regiment at Edinburgh.

Right Honourable,

I Wrote to you *Tuesday* last, in Answer to your last Letter to me ; but I neglect to acquaint you of our News here : The thing is, there is a Match of Hunting to be, as is said, against the second next Month, amongst several of our great Folks ; particularly the Duke of *Hamilton* is to be there, the Marquess of *Atboll*, and our Neighbour the Laird of *Grant*, who has Ordered 600 of his Men in Arms, in good Order, with Tartan-Coats, all of one Colour and Fashion : This is his Orders to his People in *Strathspey*. If it be a Match at Hunting only, I know not ; but I think it my Duty to acquaint you, whatever may fall out, of any such Body of Men in Arms, particularly in our Northern Parts. My humble Duty to your Lady.

Inverness, 23d July,
1703.

*I am, Right Honourable,**Your Obedient Servant,*

James Hamilton.

*Mr. Keith's Narrative, Jan. 3. 1704.**My LORDS,*

Though it has been my Misfortune to know things very disagreeable to my Inclinations and Principles ; but which neither my Notion of Honour, nor the Natural Duty I owe to my Relations and Friends, would before allow me to divulge, or make known to your Lordships ; yet left my Infirmary in pushing a Principle of Honour too far, should in the least prejudice the Service I owe to my Sovereign the Queen, or Her Government, I thought it the wisest and safest Course, to lay the following Narration of Matter

of Fact before your Lordships, and to depend intirely upon your Honour in treating me as a Gentleman, who always has, to the best of my Knowledge, acted as a Man of Honour and good Principles, with an Impartial Regard to all the World.

Captain *John Murray*, who arrived here from *France* in *June* last, being my very near Relation and Friend, Communicated to me the following Story.

That Captain *Simon Frazer*, and himself, were come over with Joint Instructions and Credentials, from the Courts of *France* and *St. Germain*s, including an Indefinite Promise of Money and Arms, to support an Insurrection in *Scotland* for King *James* the VIII.

The Families and Persons they were to address themselves to, were, as I understood, intirely left to their own Prudence and Choice, according as they could inform themselves of Peoples Inclinations; nor did I hear of any Letter they had except from my Lord *Perth* to his Son my Lord *Drummond*: For I understood the Draught of their General Credential Letter from *St. Germain*s, was such, as not only required Duty and Allegiance from every individual Person, to whom it should be produced, but also an intire Belief of these two Gentlemens Relations of Things: Which Contrivance was designed not only to avoid the Inconveniency of Writing to some, and not to others; but also for the greater Incouragement, Safety and Security of such, who should engage themselves by their Words of Honour to these Gentlemen, which was held equivalent to any Writ. After Captain *Murray* had related this Matter, with some difficulty he prevailed with me to see his Colleague *Frazer*, who Lodged then at an Inn in *Fenchurch-street*; and he told me the same Story, only with more Vanity, being mighty proud of the Assurances the King of *France* had given him, from his own Mouth, to support him in this Undertaking, let the Number of Men be never so small.

I knowing the State of *Britain* a little better than any of them, was very sensible of the Folly and Madness of their vain and presumptuous Attempt: Wherefore, so soon as I got my Uncle Captain *Murray* by himself, I thought it my Duty to endeavour all I could, for his own Safety, to make him give over his part of the Matter; but instead of prevailing with him, he endeavoured, as much as was possible, to engage me to go down to *Scotland* with them; he and *Frazer* both judging, That I might be a proper Instrument to found the Inclinations of the Duke of *Hamilton*, the Earls of *Erroll* and *Marischall*, all whom they designed to assault; but they soon perceived it was in vain to attack my Principles upon that side, and so, after several Meetings, we parted, without any other Agreement or Condition, but that *Murray* should give me an Account, as far as was safe, by Letters, of what passed in *Scotland*.

The first Letter I had was from *Durham*, which contained nothing but an Account of their Arrival there, and of Captain *Murray*'s Design to leave *Frazer* at *Newcastle*; who, because of his Circumstances, was to take some private Way of getting into the *Highlands* of *Scotland* with Safety. I had afterwards several Letters from *Murray*, dated at *Edinburgh*, wherein he complained much of the Crossness of his Affair in general; and particularly, that the Duke of *Hamilton*, the Earls of *Erroll* and *Marischall*, instead of being Friends to his Affairs, proved its greatest Enemies: And I remember in one Letter, he said, That he found there was more ground than he expected, for what I had told him concerning the Difference of Peoples Thoughts and Inclinations, now, from what they were in the late Reign. I had also several Letters from his Brother *Robert Murray*, to the same Purpose; but they all referred particular Accounts to *Frazer*, who was then upon his Road hither, and who sent for me so soon as he came to Town, to *Clarke*'s House, where he Lodged. I was several times with him, both at his Lodgings and the Tavern: He had a Brother of his own, and one Captain *Frazer*, along with him. The last came from *France* with him, and is his close Attendant. The Accounts he gave me are as follows; and the several Figures prefixed serve to mark so many different Meetings, for the knowing more distinctly what passed each time.

1. As to my Publick Affair, said he, the *Highlanders* were not so Frank as I expected; however, I have engaged some, having carried them to my Lord *Drummond*'s House, where we held a Council by Virtue of our Credential Letters, and have concerted Matters as far as was possible; but we found that there was no engaging of People upon simple Assurances and Promises, wherefore there was a necessity for my returning to *France*, to have some other Course taken for making it more effectual: Nor can I think of any, said he, but forthwith to send such Supplies of Money and Arms, as shall be found necessary. As for your Uncle Captain *Murray*'s Affair with the Gentlemen of the Low-Country, I can give you no Account; for we were all so taken up in Dispatching my Business with the *Highlanders*, in order to my speedy Return, that he was scarce begun to move in any thing before I came off, but he will certainly see you as he passes this way: So that I must refer you to him for that part of our Story, which you'll know sooner than I can my self.

2. Who do you think, said he, was with me Yesterday, but *Ferguson*, who Entertained me with a long Story of Politicks: The Sum of which was, That the D. of *Marleborough*, and my Ld. Treasurer knew every thing that passed at *St. Germain*s, by a Correspondence with the Duke of *Berwick*, of whom (meaning the D. of *Berwick*) *Ferguson* told me, he knew as much as could take his head in *France*, but would tell me nothing of Particulars. I did not indeed (said *Frazer*) jealous the D. of *Berwick*; but I have all along been afraid of my L. *Middleton*'s Corresponding with some great Men here in *England*, upon a Design of getting King *James* the VIII. called Home by the Parliament; which, said he, is so ridiculous a Project, that if it is entertained by the D. of *Marleborough*, or my Ld. Treasurer, they can do it for no other End, but to Impose and put a Sham upon my L. *Middleton*, or any Man that could be guilty of so much Simplicity. This to me was so odd a Story, that I asked him what ground he had for these suspicions of my L. *Middleton*; he answered, He could not indeed prove it upon my L. *Middleton*, but that he had reason to Suspect him; not only because of the Opposition he made against his coming over at this time, but also that he perceived my L. *Middleton*'s Creatures and Emisaries, on this side the Water, built all their Arguments upon Modeling the Minds of the People for a Restoration, Opposing and Ridiculing any thing of Force by Arms, without which (said he) the thing is plainly impossible.

3. I asked him, How it came that Captain *Murray* had done nothing during the time they had been absent from one another, especially at *Edinburgh*, the Parliament being then met, and a great Concourse of People there? He Answered, That *Murray* had, by very Indirect, and hidden Ways, got some Person to sound the Inclinations of the D. of *Hamilton*, the D. of *Atholl*, the Earl of *Seafeld*, and my L. *Tarbat*, but that there was nothing to be expected from any of them; so that he did not think it fit, to make any further Tryal for fear of a Discovery.

4. Now, said he, that I have told all that concerns my Publick Affair, I will surprize you a little with an Account of how I have been able to live these two Years by-past, having no Estate of my Own; so he pulled out of his Pocket-Book some very Passionate and Obliging Letters of my Lord *Leven*, assuring him of the greatest Friendship, and that he had always 500*l.* at his Command. I asked him, How long this Acquaintance and Correspondence had been betwixt them? He answered, That they had been acquainted a great while, but the first Money ever he had Received from my L. *Leven*, was when he went last abroad; and that if it had not been for 200*l.* he got at that time from him, he should not have known how to have liv'd: For whatever Party he may be of (said he) that is nothing to me, such a Friendship as this is not to be Neglected; it is true (said he) I have had at this time 150*l.* of my Lord *Drummond*, but that would never have done my Business, if my Lord *Leven* at this time had not been so kind to Advance me 100*l.* more; but, said I, does my Lord *Leven* know what you are about: Yes know, said he, you shall see how I manage your Great Men, and so he pulls out the Duke of *Queensberry's* Pass from *Scotland*; it was my Lord *Leven* (said he) that brought this Duke and me together, and they both know my Business, nor can they blame me since my Circumstances are so Desperate. The Duke indeed, did all he could to Reclaim me, promising me my Pardon from the Queen, and a Company in the Troops, but I Answered him, That I could not at this time accept of his kind Offers, but that if my present Attempt failed, I would then heartily Comply, and do him what Service I could; and sure no Man can blame me, to do what I can for my self, if this Design fails for the Service of my Prince. I was last Night (said he) with the Duke of *Queensberry*, who tells me, that Affairs don't go so easily with him, as he could wish: He swears, that if the Queen don't Continue him to have the Direction of all *Scottish* Affairs, he is Resolved to go Home and live Quietly, at his own Country-Seat. In the first Case, he has promised me all Favour imaginable, when-ever I please to come Home and live Peaceably; but if the last be his Fate, he says, 'is indifferent to him what Disturbance I make: In short, said he, I laugh at all these things, and design to make no other use of him, but to get me a Pass for *Holland*, which he has promised.

5. Our last Meeting was the Day he went off, there was nothing material occurred more, then what I have here related to your Lordships; in every Minute Circumstance of which I have been so particular, that there was no avoiding a little Confusion; which I hope your Lordships will Pardon, upon the Consideration, that I have taken most Care in telling, not only the real Truth, but even the verbal Expressions, so far as my Memory could preserve them; and I believe, I may venture to say, That except such who have been Present and Concerned in this Matter, there are none who can give you a clearer Account of the Rise and Progress of the whole Story thus far. For my own part, I have all along kept my self free from meddling, either by Word or Writ, in the Matter; nor could any thing have made me Conceal it so long, but Captain *Murray*, who is my Uncle, and particular Friend, being concerned in it; whose Life if it can but be saved, I don't despair, with your Lordship's Assistance, to Discover every particular Man that has been Concerned in it; for if Captain *Murray* be within the Island, as I can't doubt but he is, so far as Honour will allow, or your Lordships can desire me, I am willing to serve the Queen and Government in this Matter, without the Expectation or Hope of any thing, but that Her Majesty the Queen, and your Lordships, may be satisfied of my Duty and real Affection to the Government, as well as my being a Man of Honour, and Good Principles.

Memorandum, *There were several other Papers delivered in, which the Lords thought not Material.*

And upon Consideration thereof, the following Orders were made:

Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Lord Steward, the Duke of *Somerset*, Earl of *Sunderland*, Earl of *Scarborough*, Lord Viscount *Townshend*, Lord *Wharton*, and Lord *Sommers*, shall be, and are hereby Appointed, to be a Committee, to Examine farther into the *Scottish* Conspiracy; and have hereby Power, to send for Persons and Papers, as they shall see cause, and they, or any four of them to Meet, when, where, and as often as they shall think fit, and Report to the House when they please; and that the Papers now before the House, relating thereunto, be delivered to the said Committee.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Gentleman-Usher of the Black-Rod, his Deputy or Deputies, do forthwith take into his, or their Custody or Custodies, the Bodies of *Colin Campbell*, and Mrs. *Frances Fox* (now in the Messenger's Hands) and that they be not allowed Pen, Ink or Paper; nor any Person or Persons, to speak with them, without leave from the Lords Committees, appointed to Examine into the *Scottish* Conspiracy.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That all the Officers or Keepers, in whose Custody any Person or Persons, who are Committed in Relation to the *Scottish* Conspiracy, do Keep the Prisoner or Prisoners in their Custody, in Safe and Close Confinement, and not allow any Person or Persons to speak with them, nor allow them Pen, Ink or Paper, without leave of this House.

Die Mercurii, 23 Februarii, 1703.

The Duke of *Somerset* reported from the Committee appointed to Examine farther into the *Scottish* Conspiracy, viz. That they desire your Lordships will be pleased to Address to the Queen, to Issue a Proclamation for any to come in to Explain the Gibberish Letters, with a Reward to any Person that shall do it, within so many Days after the Date of the Proclamation: To which the House Agreed, and Ordered as follows, viz.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That an humble Address be made to Her Majesty from this House, humbly to desire Her Majesty to Issue Her Royal Proclamation to promise a Pardon, and a Reward of Five hundred Pounds, to any Person or Persons, who shall within Six Days after the Date of the said Proclamation, make known to the Lord-Steward, Duke of *Somerset*, Earl of *Sunderland*, Earl of *Scarborough*, Lord Viscount *Townshend*, Lord *Wharton*, and Lord *Sommers*, being the Lords-Committees appointed by this House to Examine into the *Scottish* Conspiracy, the Key or Cypher, whereby the Four Letters, written in Gibberish Language, may be fully Explained, and also the Persons Names to whom the said Letters are Directed, from whom they Came, and by whom Subscribed.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Duke of *Somerset*, and the Lord *Wharton*, do humbly Attend Her Majesty with the Address.

Die Jovis, 24 Februarii, 1703.

The Lord *Wharton* reported Her Majesties Answer to the Address of this House, in Relation to the *Scottish* Conspiracy, viz.

THAT Her Majesty will give Immediate Order for a Proclamation, as desired.

Die Mercurii, 1 Martii, 1703.

The House being acquainted by the Lords-Committees appointed to Consider of the *Scottish* Conspiracy, That there are Three Persons, who, by the Informations they have received, the Committee think fit should be Examined in Relation to the *Scottish* Conspiracy; and therefore the Committee is of Opinion, That they be taken into Custody, if the House think fit.

Hereupon it was Ordered as follows :

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Gentleman-Usher of the Black-Rod attending this House, his Deputy or Deputies, do forthwith take into his Custody the Body of Major *Richard Boucher* alias *Boucher*, and keep him in Safe Custody, in order to his being Examined by the Lords-Committees appointed to Consider of the *Scottish* Conspiracy : And this shall be a sufficient Warrant on that behalf.

To the Gentleman-Usher of the Black-Rod attending this House, his Deputy and Deputies, and every of them : And to all Mayors, Sheriffs, Bailiffs, Constables, and other Officers, to be Aiding and Assisting in the Execution hereof.

The like Order for Taking into Custody Sir *Thomas Stewart*, alias Lord *Belcasky*.

The like Order for Taking into Custody Mr. *Jackson*, of *Grays-Inn* in the County of *Middlesex*.

Die Veneris, 3 Martii, 1703.

The Lord *Wharton* acquainted the House, from the Lords Committees appointed to Examine into the *Scottish* Conspiracy, That the Committee desire the Directions of the House in a Matter they are unwilling to take upon themselves, in Relation to the *Gibberish* Letters; That the Committee is offered a Key and the Letters to be Decypher'd, upon the Conditions set forth in Her Majesties Proclamation, and also upon Condition, That the Key and Letters, when Decypher'd, may be only Communicated to the Lords of the Committee, and by them to Her Majesty, when She shall think fit.

After Debate and Consideration hereof :

The Question was put, That the Committee be Directed to agree to the Terms proposed, That the Key and Letters Decypher'd, shall not be made known to any but the Lords of the Committee, and to the Queen ?

It was Resolved in the Affirmative.

Then the Order following was made, (viz.)

The House being Informed, by the Lords Committees appointed to Examine into the *Scottish* Conspiracy, That they are Offer'd a Key to the *Gibberish* Letters, and to have them Decypher'd, upon the Conditions of the Proclamation; and that the Key and Letters, when Decypher'd, may be only Communicated to the Lords of the Committee, and the Queen : It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the said Committee is hereby Directed to agree to the Terms proposed, in Order to the Decyphering the *Gibberish* Letters, and that the Key and Letters Decypher'd shall not be made known to any but the Lords of the Committee, and to the Queen.

Die Lunæ, 6 Martii, 1703.

The Earl of *Nottingham* acquainted the House, That he had received Two Letters, which he laid before the House.

The said Letters were Read, as follow.

To Mr. *Smith* at the *Marine Coffee-House* near *St. James's Church*, in *Pickadilly*, *London*.

[Note, By *Smith* is meant *Keith*.]

S I R,

I Long mightily to hear from you; and for my part, after what has past since I heard from your self, I have so much to say, that I shall say nothing at all. I did not take it kindly that *S. Wm.* went away without telling me any thing of the Matter; and since ye are, I hope, to be soon in *Scotland*, I shall reckon with you both when I see you. Your Aunts Death brought me to this Country about a Fortnight ago, and I go Home the next Week : So pray let me hear from you, and how all goes. This World is so kittle that one dares hardly mention a Friend, without suspicion of a Plot; but I thank my Stars I know

know nothing of these Matters ; and if the D. A. had been as grateful to you, as he ought, I believe your Name should not have been in Print : and I am surpriz'd to find some of your Friends writ about their endeavours to keep you in Common Friendship with one has appear'd so much your Enemy. Our Comrade, the only sensible to ye I ever knew, is very desirous to hear from you ; for your Concern about your late Adventure strikes him deeper, than what is Common to those dull Animals. I shall be still impatient to hear from you, and am, with the utmost Devotion,

S I R,

Your own House,
22 Feb. 1703.

Yours.

To Mr. John Moncrife, to the Care of Mr. John Campbell,
Goldsmith, in the Strand, London.

[Note, By John Moncrife is meant Colin Campbell.]

Dear Cus.

I Believe all the Devils are got loose to torment me. With you I am abus'd, ruin'd, and my Reputation torn. Here I suffer by those whom I served, and am treated like a Traitor and Villain ; and if I had not had good Friends here of Strangers, I had perish'd like a Dog. I do not yet know what my Fate will be, but I have dear bought my Conversation with those you call my Real Friends. You tell me that K. betrayed me to A. and now we hear of his Sufferings for me ; but none in England could wrong me but he or you, and if either of you has wrong'd me, I cannot trust my self or any Flesh and Blood : my Comfort is, that I neither betrayed my Trust, nor my Friends, nor would not for the Universe ; and I wonder how you suffered little Fellows to dare Calumniate me : however, my Dear, if you have any thing left in you of the Ties of Nature or Comradeship, I hope you will do me what Justice you can with my Friends, and those you know intrusted themselves to me ; and let me know, if possible, what all this is, and what they rely upon in all this Matter. My good Friend N. is likewise brought as an Evidence. For my Part, I believe the Day of Judgment is at Hand, for I see a great many of the Symptoms of it. I hope you will take Care to support To. and my poor little Concerns of my Family, which I will not abandon for all that's come and gone. Pray write to me, and if you cannot send it to the former without Suspicion, send it, under Cover, to Mr. William Cromie, Factor at Rotterdam, to be given to Mr. Neerinx, and write on the back of it, to Peter Tomson at Liege. Fail not in this, if you Love

Your Cus. and faithful Friend and Servant,

Liege, the 24th Feb.
1704.

J. C.

Whereupon, It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Letter directed to Mr. Smith, at the Marine Coffee-house in Pickadilly, Dated 22d. Feb. 1703. and the Letter directed, to Mr. John Moncrife, to the Care of Mr. John Campbell, Goldsmith, in the Strand, London, shall be and are hereby referred to the Lords-Committees, appointed to consider of the Scottish Conspiracy, and the Letters to be delivered to them.

Die Martis, 7 Martii, 1703.

It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the Papers this Day delivered by the Earl of Nottingham, by Her Majesties Command, relating to the Lord Belhaven, March 2. 1703. shall be refer'd to the Consideration of the Lords-Committees appointed to consider of the Scottish Conspiracy, and delivered to the said Committee.

The said Papers relating to the Lord Belhaven, follow, in hac verba.

My Lord,

Whitehall, May 14. 1703.

THE Inclosed is a Copy of what I mentioned last Night to your Lordship. I am,

My Lord,

Your Lordship's,

Most Humble Servant,

Earl of Seafield.

C. Hedges.

My

London, May 9th, 1702.

MY Lord *Belhaven*, whose name is *Hamilton*, came to *Paris* about the Month of *December*, 1701: where he continued for Three Months, during which time he had frequent Conferences with the Court of *St. Germain*, and was no less than Three several times introduced to the late Queen by the Earl of *Middleton*, being usher'd in to him by Captain *John Levingston*, who was Brother-in-law to *Belhaven*. The said Lord often told me, That he Corresponded to, and received Instructions from the Duke of *Hamilton*, who, he said, was become the Head of all those, who were true or faithful to the Interest of their Country; which he said had been abused and cheated by King *William*, whom he hated upon that Account. The said Lord told me, That the Conjunction of *Scotland* with *England* (for he could not call it an Union) had been the Ruine of that Kingdom; and that if they did not set up a King of their own, or call home the Prince of *Wales*, and so lay an Obligation on him, to be more in their Interest than his Predecessors, that Kingdom would be undone.

He further said, That if the Prince of *Wales* could be prevailed upon to turn Protestant, it would be better to call him home, than to set up a King of their own: For, said he, *England* is so much superiour to *Scotland* in Force, by Sea and Land, that if a King of *Scotland* have not a Considerable Interest in *England*, he may run the Hazard of being Conquered at one time or other; but, said he, the Prince of *Wales* has not only that, but will be sure, at all times, to have a firm Alliance with *France*.

He added also, That when he had an Audience of the late Queen, the Second of *February*, he laid all this before her; and gave her Assurance, That if the Prince, her Son, would turn Protestant, that the Duke of *Hamilton* himself, and all that Party, which he said was very Considerable, would Declare for, and call him home. But, he said, to his sorrow, that he found the Queen inflexible upon the head of Religion, which, he said, would extremely Divide and Weaken the Party. He told me also, by Advice of Duke *Hamilton*, He had made Proposals to the Queen, That if the Prince could not Change his Religion, that he should Enter into Articles, and give Assurance, that he would restrict himself to a determinate Number of Priests, and never Attempt any thing against the Protestant Religion. This, he said, the Queen Consented to, and several other things; upon which he engaged, in the name of the Party, to do their utmost to keep the Scots from Joyning with the *English*, as to the Succession.

Having, for these Four Years last past, had an extraordinary Intimacy with Doctor *Gordon*, late Bishop of *Galloway*, insomuch, that he Concealed none of his Affairs from me; The said Bishop, about the beginning of *March* last, at *Paris*, told me, That he had a Prospect of making his Fortune ere long; but said, He was sworn to Secrecy. We met almost every Day; and he told me from time to time, That his hopes increased; and that, before he left *France*, he would Discover to me, and me only, so far as his Oath could possibly allow him, and that he would even stretch a little. I being to leave *Paris* the 20th *April* last, was, some Days before, with the Bishop every Day; and being about to take my Leave of him, he told me, He would be in *England* in few Days after me: For now, said he, I am engaged in an Affair, that will Make me, or Break me. I told him, That I knew his Prudence to be so great, that I was not afraid of any Miscarriage. He said, That the Affair was so Delicate, that a Man of more Experience than he might easily Miscarry in it. But, said he, as I have never Concealed any thing from you, so will not this, so far as I can, or dare, at present, Discover it. I am, said he, by the *Abbe Rennebo*, my good Friend, engaged to go, as an Agent, from the Court of *France* into *England* and *Scotland*. At *London* I shall meet with the Lord *Belhaven*, who will Carry me to Duke *Hamilton*; and having adjusted Matters with him, I shall go to *Scotland*, to the Disaffected Party there, among whom I have many Friends and Relations. My Instructions, said he, I have not yet received, but in general Terms, and therefore cannot be more particular; But, said he, it's referred to my self what Money I will call for, for my Expedition. The said Bishop is now come over, and in *Town*, if he is not gone this Day for *Scotland*; if he be taken up, he is naturally Timorous, and, I am sure, so great a Libertine, both in Religion and Government, that he'll never run any Risque for one or t'other.

The late Bishop of *Galloway* is aged about 58 Years; is of a Fresh Ruddy Complexion, pretty Tall, and Broad Set, full Six Foot High; and Lodges, or did Lodge, near the *Blue Ball* in *Salisbury-street*: He wears an Iron-Girdle, being a little troubled with a Rupture, which no body knows but my self.

Being to come into *England*, I discovered my Design to Captain *William Delavall* at *St. Germain*, who is and has been my great Friend. He desired me to make all the haste back I could; and said, I know you to be a Person of Secrecy, and one that dare do any thing; and if you be here in Six Weeks or Two Months at farthest, I'll Introduce you to one shall make your Fortune: For, said he, if a fortunate Card does not turn, of all this Juncture, for our King, something that will be Surprising is to be quickly Attempted, and I will bring you in for one, therefore pray make haste back; which I faithfully promised. He first having engaged, That if the Design went on, to write to me about some pretended Business; which was to be the Signal for me to make haste, and accordingly I have received his Letter.

Mr. *Ramsay*, a Scotch Gentleman, who Resided in *England* during the last War, being then a Spy for *France*, and had Four thousand Livers Pension, is now again come into *England* upon the same Account. It's so true, that Mr. *Ramsay* was a Spy, during the last War, that I my self have seen and read his Petitions, written and signed by his own hand, Addressed to the King of *France*; wherein he set forth his Pretensions at large, with an Account of his Services. It's so true, that Mr. *Ramsay* is in the same Post again, that the Night before he left *Paris*, I dogg'd him to Mr. *Golar's* House, who was the Man who engaged him at first in that Service, of whom he received Money, and with whom he still Corresponds. He had no Money when he went in, and being to pay me Twenty Livers he owed me, he not only did it when he came out, but shewed me a handful of *Lewis d'Ors*, and a Sealing-Ring, which, I presume, he Seals Letters with, which he sends that way.

B.

If this be Discovered, I shall not only run a great Risque of my Life, but be rendred incapable of any further Service, particularly in a very desperate Blow that I have reason to believe is intended.

My Lord,

Whitehall, May 26. 1702.

I Am Commanded to Transmit the Inclosed to your Lordship for Her Majesties Service, it being a Second Part of what I sent you before you left this Place, and from the same hand. I am,

My Lord,

Your Lordships most Humble Servant,

Earl of Seafeld.

C. Hedges.

Several Officers of Note are gone from *St. Germain's* into *Scotland*, who, I am sure, are ill-intentioned against the present Government, viz. Captain *James Murray*, Brother to Sir *David Murray* of *Stenbope*, Captain *John Bell*, who formerly Served in Major-General *Buchan's* Regiment, Captain *John Levinston*, of my Lord *Dumbarton's* Regiment, commonly called *Cassius*, to distinguish him from the other; Captain *William Deans*, who lately was Governor to my Lord *Clarmont*, Son to the Earl of *Middleton*, at *St. Germain's*; *Robinson* of *Struan*, who has a Considerable following in *Scotland*, is in *London*, but Absconds; nor do I know how to find him, he taking extraordinary Precaution, as being a Man of an Estate. *Levinston*, who is in Custody, is Brother-in-Law to my Lord *Belhaven*, having Married his Ladies Sister.

Die Sabbati, 18 Martii, 1703.

The Duke of *Somerset* this Day acquainted the House, That the Lords Committees appointed to Consider of the *Scottish* Conspiracy, are now ready to make their Report when the House shall think fit to receive the same: It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, That the said Report shall be made on *Munday* next at Twelve a Clock, and all the Lords summoned to Attend.

Die Lunæ, 20 Martii, 1703.

The Duke of *Somerset* Reported from the Lords-Committees appointed to Examine into the *Scottish* Conspiracy, the several Examinations taken by them, which were Read, as follow, viz.

THE Committee appointed by your Lordships Order of the 22d of *February*, to Examine farther into the *Scottish* Conspiracy, in Obedience to the Order of the House, proceeded to Read the Papers refer'd to them, the better to enable them to Examine the several Persons who appear'd to be concerned; and afterwards they did proceed to take the Examinations which are hereunto annexed.

The House was also pleas'd, by an Order of the 6th of *March*, to refer to the Committee two intercepted Letters, whereof the one was sent to Mr. *Keith*, by the Name of Mr. *Smith*, and the other to Mr. *Campbell*, by the Name of *John Moncriffe*. The Committee did examine severally Mr. *Keith* and Mr. *Campbell* thereupon, and the Committee desire to refer to their respective Examinations, as to what they have said in relation to those Letters.

Sir John Maclean's Paper delivered in to the Committee, February the 26th, 1703.

A.

IN July 1702. the Lord *Lovat* arriving at *Paris*, sent to Sir *John Maclean*, to let him know he wanted to see him; and upon his meeting with him, told him, he had Matters of great Importance to communicate to the late Queen, but before he would give an account of them, he desired her promise not to reveal them to any of her Ministers. Sir *John* told him, he had no Call to meddle in any Business, all Negotiations at that Court passing through the Hands of the Ministers; and that all he could do was to carry his Message, and give him whatever Answer he received. The Lord *Lovat* told him, He was more particularly concern'd in this, because the Propositions were from the Chieftains of Clans, as he would give the Queen an Account, according to the Answer she should send him: Sir *John* delivered his Message to the Queen, who agreed to see him, and gave her promise to keep from her Ministers whatever he should say to her; but since it was absolutely necessary she should trust some Body about her with it, she desired to know, if he would condescend it should be my Lord *Perth*, which he agreed to; and the Lord *Lovat* had a private Audience of the Queen, where my Lord *Perth* and Sir *John* were present; in which he told her, That he was Commissionated from the greater part of the Chieftains of the Highland Clans, that they would rise in Arms with 10000 Men, if they were assisted from *France* with Money, Arms, and Troops to support them; That he had been with them, and spoke to them, upon the first Account of King *William's* Death, looking upon it, and the War breaking out, as a fit Opportunity. The Queen told him, she would send to the *French* Minister, M. de *Torcy*, to communicate it to him, and then he should hear from her. Some days after, my Lord *Perth* desired Sir *John* to acquaint the Lord *Lovat*, That the Queen had spoke to *Torcy*, and that he had appointed to meet him next day at *Paris*, to hear his Proposals. My Lord *Perth*, the Lord *Lovat* went next day to *Paris*, from whence they found *Torcy* had been called to Court, but left M. de *Callieres* (whom he entrusted) to hear what *Lovat* had to say, and that he would

would acquaint the Queen in a few days, when *Lovat* might see him privately at *Marly*. Lord *Lovat* gave *M. de Callieres* the same Account he had given the Queen, which he said he would report to *Torcy*, who would commune with him upon it at *Marly*. In some days my Lord *Perth* acquainted Sir *John*, that *Torcy* had appointed next day to meet with *Lovat* at *Marly*; and that, lest it might give some Umbrage to the Ministers, from whom it was concealed, that he should be seen going often to the *French* Court, the Ministers having formerly desired of the Queen, that he should not meddle in Business, because of his Relation to *Melfort*, then in Disgrace, that therefore Sir *John* should carry him to *M. de Torcy*. Sir *John* reply'd, That he was as little known to *Torcy* as the Lord *Lovat*, having never spoke to him in his Life; upon which he told him, he would have the Queen's Orders to write to *Torcy*, which he did accordingly, and gave the Letter to Sir *John*, to be given *Lovat*, which he delivered to *Torcy*, who told him, *M. de Callieres* had acquainted him with the Proposals he had made; That for Money and Arms he believed his Master would condescend to, but he was so straitned as to Men, that the Difficulty would stand there; That he desired in the mean-time, he would draw up a Memorial with the Names of those who had Commissionated him; what Men they could raise, and what Number of Troops they desired: And that since he had more time at *Paris* than at Court, he gave him a day, which he would acquaint the Queen of, to meet him; and since she had inform'd him, her Ministers were not trusted with the Secret, he thought it were best they should meet at the Pope's Nuncio's at *Paris*, where he used to be frequently. The Lord *Lovat* returned, and met privately with *Perth*, to whom he gave an Account to be given the Queen of what had pass'd with *Torcy*. The Lord *Lovat* at his return, having drawn up his Memorial, desired Sir *John* to translate it into *French*: Sir *John* in Reading it, told him, that he found some Men named there, whom he enquired after some Days before, and whom he had told him he had not seen, but heard they were well, and that he thought he ought to name no body, but those he had Assurance from. He said he knew their Inclinations, and he would take it upon himself. Sir *John* told him, That besides this, he found in the List he made, That he had set down some of the Chieftains for twice the Number they could raise. The Lord answered, That he must make the Number sufficient, otherwise the Court of *France* would never Engage. Sir *John* told him, That for his part he would never impose on any body; and that if ever the Queen should disclose to her Ministers the Project in Hand, finding a part false, they would not fail to say the whole was suppos'd. The Lord was so displeased at Sir *John*'s Freedom, that he put up his Memorial, carried it to *Perth*, who put it in *French*, and went to *Paris* without him. The Number of Men desired of the *French* were 5000, who were to land on some Place near *Dundee*, where they might easily march to the Foot of the Hills, where the *Highlanders* might join, being secured by them from any Forces then in the Kingdom. Those Troops were to be transported from *Dunkirk*, and at the same time 500 Men from *Brest* to *Fort-William*, to take in that Fort, and free the *Highlanders* from its Inconvenience at Home, when they were to take the Field. The Difficulty as to Sending and Transporting the Men, stuck still with the *French* Court, so that the Lord *Lovat* went afterwards frequently to *Paris* alone, where he met with *Torcy* at the Nuncio's and *Callieres*, to press the Affair. My Lord *Perth* sometime after Meeting with Sir *John*, told him, He had a Letter from *Callieres*, desiring him to go next Day to *Paris*, and bring Lord *Lovat* with him, for he hoped *Torcy* would come to a conclusion; but that it being impossible for him, *Perth*, to go next Day, he desired Sir *John* would acquaint Lord *Lovat*, and go along with him to be present at the Conference; which Sir *John* did, and found *Torcy* and *Callieres*, who told *Lovat* that his Master had agreed to the Proposals, but he desired to have more essential Assurances from the Chieftains of *Clans*. *Torcy* propos'd in sending back *Lovat* to send a *French* Commissary; but the Difficulties arising from his want of the Language, from his being easily impos'd upon, being a Stranger, made him lay it aside. But *Callieres* propos'd some *Scots*-Man in the *French* Service, whose Dependence on the *French*-Court would make them secure of, Captain *John Murray*, who had served there several Years, was pitch'd upon, as being known to *Callieres*: The Lord *Lovat*, and Captain *Murray*, went afterwards frequently to *Versailles* and *Paris*, communicating very little to Sir *John*, because of the Diffidence *Lovat* had of him; which had increased by a Refusal of a Commission of Major-General, he had ask'd of the Queen, and which he Attributed to him. Sir *John* had occasion of Speaking to the Queen about a Part of his Pension that was owing, she took the occasion to tell him, That *Lovat* ask'd the said Commission, and desired to have his Thoughts. Sir *John* told her plainly, That he apprehended giving him a Commission over the Heads of Chieftains, who were able to raise more Men than he, might disgust them; and that since she spoke to him of that Affair, he was oblig'd to give his Sentiments of the whole; That he was afraid the bad Circumstances *Lovat* was in at Home, with the Natural Heat of his Temper, would push him to advance more than he could make good; and that though those Gentlemen he named, were willing to rise in Arms, yet if he had not Assurances from some Considerable Party of the Nobility in the Low-Country, yet the Event would only be, that the *French* might make a Diversion for themselves, without any other effect as to her Affairs, than the Ruine of the Gentlemen engag'd: and though no Body wanted more than Sir *John* a Handle for Changing his Circumstances, that he had rather suffer still, than Expose his Friends and Relations; but that she was best Judge of what she might Expect from the Low-Country, into which he did not presume to enter. She told him, with some Heat, That she had sent several Messages to Duke *Hamilton*, but could have no Return; That he was so shy, she knew not what to make of him; That she sent lately to him by Captain *James Murray*, and that if she was to have any Answer, it would be before the return from the *Highlands*: That the Business, in the mean time, was to dispatch *Lovat*, and she would judge best at their Returns. The Lord *Lovat*, and Captain *Murray*, were for about Three Weeks, from *Paris* to *Versailles*, that Sir *John* did not see them. When they Received their Dispatches from the *French* Court, they returned to *St. Germain*, where *Lovat* had his last Instructions, which he did not Communicate to Sir *John*, though Lying at his Lodgings; but Sir *John* coming into his Room, when he was in Bed, looked them over, which it seems he perceived, and in the Afternoon read them to Sir *John*. What he remembers of the Contents of them is, That he was to assure the Chieftains, that they should be Supported with Money, Arms and Men; That he should return positive Assurances from them, of what Number they could Raise, with an Account of the State of the Nation in general, and of their Inclinations in the present Parliament, and to return with the Account. The Lord *Lovat*, and *Murray*, were about Three Weeks more at *Versailles* and *Paris*, before they went off, that Sir *John* did not see them: He went to *Paris* Two Days before their departure, where *Lovat* told him, that he would scarce have as much Money left him as would perform his Journey. On which Sir *John* ask'd him, What Sum he had got? He told him Four hundred Pistoles, which he had said nothing of to him,

him, though he had received it a considerable time before. At his departure he press'd Sir John to write by him, to some of the Chieftains, who were his Relations, and to the Gentlemen of his own Family. Which Sir John shunned, telling him, That those who had trusted him before, would trust him again; and that if Sir John found it necessary to write to those of his own Family, he would send his Letters to him to *Brussels*, where he said he was to make some stay. Sir John had a Letter from him from *St. Omers*, where he fell ill, Complaining of not sending him Recommendations to his Friends, with some four Expressions. Sir John never wrote to him since he went from *Paris*, nor designed no farther Communication with him, neither did *Lovat* let him know where he was to take his Passage. Major *Frazer*, who went with him, was only as of his Family and Relation: *Murray* was the only intrusted from the *French Court*. Some little time after *Lovat's* Departure, there came an Account of the Queen's Act of Grace to Her *Scots* Subjects, a Promise of which had come before he went off. Those of the *Scots* Nation at *St. Germain's* ask'd, and easily obtained Leave to return, that Court never refusing it to any. Those who returned, as Sir John remembers, were Colonel *Buchan*, Captain *Middleton*, Colonel *Graban*, Captain *Deane*, *David Lindsay*, and Captain *Meares*.

Sir John went immediately to the Queen, and put her in mind, That some Years before, the late King *James* had given him Leave to return, if he could procure a Licence; that he hoped she would give him Leave, as she did to the rest of his Country-men, to take hold of this Opportunity to live amongst his Friends, who on the former Occasion had promised him their Assistances to Subsist him. She easily Condescended to his Proposal. Sir John went about his Journey, in which he had great Difficulties, having a Family to carry with him, being resolved to leave nothing behind he had any relation to: Finding the Passages to *Holland* stopped, he sent to *Calais*, to know when the Packet-Boats for Exchange of Prisoners was expected, which was the only Passage left. Having an Answer, That its Return would be in 15 Days, he prepared himself; but it did not arrive till Two Months after. Sir John immediately took Post, but arrived Two Days too late, the Ship returning without any Prisoners, a Fortnight sooner than its ordinary time, by a Dispute which hapned betwixt the Governour of *Calais*, and the Master of the Ship. Sir John stayed Two Months there in hopes of its return, where he found some *English* Gentlemen Prisoners there, waiting for the same Occasion; till the Governour sending them out of Town, believing by the delay of the Ship, that the Commerce was intirely broke off: Sir John hazarding a little open Fisher-boat, which had been released, and with the Hazard of his Wife, who was but Eleven Days Brought to Bed, and of his Children, Landed in *England*, where there must be Two hundred People to draw up the Boat, ask'd for the Magistrate, delivered himself, and told him who he was. The late Queen, as Sir John took leave of her, told him, She hoped he would have no Resentment of any Neglect he had met with there; That as to Lord *Lovat*, she believed he would be returned before he could be well in *England*: That she recommended to him, to sound Duke *Hamilton*, from whom she had no Answer, but not to Communicate any thing of *Lovat's* Affair, if he did not find him disposed for her Service. She recommended to him to speak to *Atholl*, if he should find him disposed as to *Marshall*.

What Sir John knows of *David Lindsay*, is, That he had been sent from *St. Germain's* to *England*, and returned with the Earl of *Middleton*, which was before Sir John went to *France*: He knows nothing of any real Errand he now has, nor ever had any Communication with him whilst there.

Maclean.

Sir John Maclean's farther Examination.

B.

SIR John Maclean being brought to the Committee, was told, The House of Lords had been informed that he had been promised a Pardon, in case he should make an Ingenuous Confession: But that the House was not satisfied that his Confession was full, and had Ordered the Committee to Examine him farther.

Sir John Maclean said, He understood that he had an absolute Promise of Pardon; but he said, he did not insist upon it, and was ready to tell all he could recollect: Whereupon the Lords of the Committee Ordered him to set down in Writing, in his own hand, what he could remember, and then they would Examine him farther.

On the 26th of *February* he Delivered to the Lords, the Paper marked A.

Being farther Examined he declared, That upon the Queen's Accession to the Crown, he had applied himself to the Earl of *Cromarty*, by Sir *Aeneas Mackferison*, his Father-in-law, for a Licence to come over, but had received no Answer.

That he was willing to take the Opportunity of coming away, upon the Publishing the Indemnity in *Scotland*.

That upon his coming away, the late Queen at *St. Germain's* procured for him 2000 Livres from the *French Court*, as for a particular Service of her own.

His Allowance, while he staid in *France*, was about 900 Livres per Annum.

When he took his Leave of the late Queen, she told him, She had sent to Duke *Hamilton*, by divers Persons, and had no Answer from him; but that she had lately sent *James Murray* to him, by whom she hoped for an Answer.

The late Queen gave him in charge, to use the Discreetest Measures he could with Duke *Hamilton* to Sound him: He was not to speak to Duke *Hamilton* at first, as from the Queen, but was to Discourse him as of himself; and if he found him well-disposed to enter into the Business of *France*, then he was to tell him, he knew of *James Murray's* Message to him, and to use the Queen's Name, but he was to break *Frazer's* Business by degrees, the Queen apprehending he would be averse to it, by reason of his Conjunction with the *Atholl* Family, who hated *Frazer*.

The Queen did not give him any Credentials to the Lords she Employed him to, she knowing that he was related to Duke *Hamilton*, and knew him, and the Knowledge of *James Murray's* Message was a Credential.

The Queen knew it was very well between the Families of *Maclean* and *Atholl*, and *Marshall*. The Queen told him, The Lord *Atholl* had a great Interest in the *Highlands*, and she knew what great Antimities there were between him and *Lovat*; and that if Sir John Maclean could find any way to mitigate things between them, he would do her a great Service.

They

They look'd on the Duke of *Atboll*, as one rather engaged by Duke *Hamilton*. It is on the latter they depended principally, as having been intrusted by King *James*, and who never meddled with any Impleymnt under the late Government, which the Duke of *Atboll* had done.

As to the Earl of *Maresball*, the Lord *Perth* pretends an Interest with him, as being his Son-in-law : The Earl of *Maresball*, and his Father, were always looked upon as Creatures of King *James*'s.

The Lord *Perth* said to Sir *John Macleane*, at parting, That he was privy to *James Murray*'s being sent to Duke *Hamilton*, and he hoped the Duke would trust him.

The Lord *Perth* also told Sir *John Macleane*, he had given Instructions to *John Murray* to speak with the Earl of *Maresball*.

He never talked of the Duke of *Atboll* with any Confidence or Friendship, their Families having been never well together.

One *Bell*, who had been a Captain in *Buchan*'s Regiment, and had lived at *St. Germains* from the Conclusion of the *Highland-Business*, was sent for *Scotland* last Winter, but dyed in *Holland* in his way thither. Sir *John Macleane* was with the Lord *Perth* when the News of his Death came, who expressed himself to be much troubled at it, because *Bell* was one whom Duke *Hamilton* entirely trusted, and who, he hoped, would have done good with him : And then he told Sir *John Macleane*, that was the Business about which *Bell* was sent to *Scotland*, afterwards Sir *Adam Blair* told him the same thing.

As to what Sir *John Macleane* had formerly said of *Stevenson*'s Message to Duke *Hamilton*, he had it no otherwise than by Common Report. *Nevill Paine*, and Colonel *Parker*, and a Club at *Paris*, (who are in Opposition to the Earl of *Middleton*, and pretend to have Licence from the French Court to keep Intelligence) said, That *Stevenson* was sent to Duke *Hamilton* by the Earl of *Middleton* : And when, about a Fortnight after *Stevenson*'s Return from *Scotland*, he was put into the *Bastile*, they said he had not been trusted by Duke *Hamilton*, and that word had been sent privately, that he should be clap'd up.

Sir *John Macleane* being ask'd, Who was to Command the Troops which *France* was to send to *Scotland* ? Made Answer, That in the Discourse between the Lord *Perth* and Mr. *Torcy*, Mr. *Cailleres* and himself, together with *Frazer*, it was agreed, that if Duke *Hamilton* would Engage, he should have the chief Command ; That Duke *Hamilton* was looked upon in *France* as an Officer, but that they intended to send a Frenchman to take care of the Troops, and act under him ; but they did not then seem to think of Sending the Duke of *Berwick*, because if the Great Men in *Scotland* engaged, they would not be willing to be Commanded by him.

Being asked, How they came to have so great an Opinion of Duke *Hamilton* at the Court of *France* ? Sir *John Macleane* said, He was look'd upon as the most popular Man, being at the Head of that great Number of Lords and Gentlemen who protested against the Sitting of the last Parliament. Upon the Sitting of this present Parliament, the Court at *St. Germains* thought it their Business, to Obstruct the Declaring the Succession to the House of *Hanover*, and Approved of the Acts, and other things brought into the Parliament, as tending to that Point.

The Council at *St. Germains* consists of the Duke of *Berwick*, the Lord *Perth*, the Earl of *Middleton*, and the Lord *Carryl*.

The Queen at *St. Germains*, had promised *Frazer*, not to Discover his Design to any of the Ministers, besides the Lord *Perth* ; but after *France* had agreed to the whole Matter, she Directed the Lord *Perth* to tell Sir *John Macleane*, that she desired to speak with *Frazer*, and that she hoped he would be brought to consent it might be Communicated to the whole Council. For they had got an inkling of it, and it would be better she should tell it them her self, than that it should be known without her.

Sir *John Macleane* gave an Account of this to *Frazer*, who went to wait upon her, and at his Return to his Lodgings, told Sir *John Macleane*, that he had Consented to it, and that he thought it in vain to do otherwise, for he believed she had told them of it before. *Frazer*, said she, had Ordered him to wait upon them : *Frazer* first sent Sir *Alex. Macleane* to the D. of *Berwick*, to know when he would be attended ; and a time being appointed, *Frazer* and Sir *Alexander* (as they both told Sir *John Macleane*) went to him, and Discours'd with him, of the number of Men and Provisions ; and how they could make up their Magazines, and about the Situation of the Country, and he brought out Maps to them.

The D. of *Berwick* told them, that the Court of *France*, had already concluded D. *Hamilton* the fittest Man to Command in Chief, if he would be Engaged ; and that there was no occasion for him, since he could not serve under D. *Hamilton* ; but if D. *Hamilton* did not Engage, and if upon *Frazer*'s return, he saw the Affair turn more general, then if the two Courts gave him any Orders, he would be ready to obey.

Frazer said, the D. of *Berwick*, would not be acceptable to the *Scottish* Nation ; all the *Scots-Officers* in *France* being Discontented with him, for having favoured the Pretensions of the *Irish-Officers*, in Order to their being provided for in the *Irish-Regiments* ; for they all knew it was the Duke of *Berwick*'s doing, though the Commissions were given out by the French-Court. Sir *John Macleane* did suppose this was told by *Jo. Murray* to *Frazer*.

Frazer told Sir *J. Macleane*, that he had been with the Earl of *Middleton*, and *John Murray* had gone along with him : The Earl of *Middleton* said, the Queen had given him an Account of the Design, and he was well satisfied with it, and approved of the Project, and bid *Frazer* take Care of himself, and said, it was incumbent on *Frazer* to be very particular in the Accounts returned or brought back.

Sir *John Macleane* was with *Frazer*, when he took leave of the Earl of *Middleton*, who expressed a Resentment, that the Project had been kept so long from him.

Frazer desired to speak in private with the Lord *Middleton* in his Closet, and did so : At Night he told Sir *John Macleane*, what he said to the Earl of *Middleton* then, was to desire a Pardon for himself, as to the Business which concerned the *Atboll-Family* ; because he foresaw, if D. *Hamilton* should Engage, he would have the great Sway ; and being so much in the Interest of the *Atboll-Family*, that was bent against him, he thought it securest for him to get a Pardon by the Lord *Middleton*'s Interest at this time : the Lord *Middleton*'s Answer was, That there was no *Scottish* Lawyer about the Court, who knew how to draw a Pardon, which must be Nicely done ; but that if *Frazer* would get one prepared in *Scotland*, it should be pass'd upon his coming back.

The Earl of *Middleton* is not looked on to be a Friend to D. *Hamilton* ; the Earl of *Melfort* was thought to be his Principal Friend.

The Earl of *Hume* is thought to be the top of the Party, that depends on the Lord *Middleton*; and it is generally thought at *St. Germain's*, that he is the Man most relied on by the *Ld. Middleton*, and whose Interest he supports.

When Mr. *Frazer*, and *Jo. Murray* went away, they agreed with the Lord *Perth* to settle a Correspondence in *Scotland* for him.

They pretended they would go by the way of *Holland*, and pass through the *French-Army*; but Sir *Alexander Macleane* wrote word to Sir *John Macleane* afterwards, that they had not passed that way.

Sir *John Macleane*, said he, had often discoursed with the Lord *Perth* about *Frazer's* Affairs; the Lord *Perth* was the first that was intrusted with it.

The last Directions the Lord *Perth* gave Sir *John Macleane*, was to press *Frazer* and *John Murray*, (if they were not come away before Sir *John Macleane* came to *Scotland*) not to fail to bring Authentick proofs of what *Frazer* had said; for that otherwise his Friends would suffer at the Court of *France*, and his Enemies would take Advantage at the Court of *St. Germain's*. He proposed in particular, that when they returned to *France*, if it were possible, they should bring over one of the *Highland* Chieftains with them.

The Lord *Perth* was the Person with whom Sir *John Macleane* was to hold Correspondence; he told Sir *John Macleane* at parting, that if he found *Frazer* and *Jo. Murray* in *Scotland*, they would tell him how that Correspondence was fixt, and what Address was to be used; but if they were come away, then he was to know it from *Robert Murray*, *John's* Brother, who was generally in *Edinburgh*; but if he chanced to be absent, he might be heard of at his Elder Brother's House in *Pertshire*.

He said, he gave an Account of this intended Correspondence to the *E. of Nottingham*.

The reason of trusting *Jo. Murray* to go along with *Frazer*, and observe what he did, was not only, because he had served long in the *French* Troops, but because he was also well known to *Monsieur Calliers*.

The time proposed for Action in the *Highlands*, is just between Harvest, and the beginning of Winter.

The Money desired for this Expedition, was 100000 Crowns, and the Arms were for 20000 Men; both which were promised, but the Arms were not sent when Sir *John Macleane* came away; nor was there any of the Money to be sent, till the Security of things appeared upon *Frazer's* Return, and then it was to be sent by a *French* Commissary.

Sir *J. Macleane* was ask'd what Persons left *France*, upon the News of the Indemnity in *Scotland*, and what was their Character, and upon what Designs they came: He named Major General *Buchan*, Capt. *Deane*, *Patrick Grabame*, Capt. *Middleton*, Capt. *Meeres* and *David Lindsay*.

He said, as to Major General *Buchan*, he believed he was not trusted with the *Highlands-Business*, because he knew he was the most ungrateful Man living to the *Highlanders*; so that if he was Employed in any thing, it must be with respect to the *Lowlands*; but that it was kept as much from them, as their Design in the *Highlands* was from others, though he did not doubt but other men were Employed in other places.

He said, He knew that formerly when he was in the *Highlands*, Maj. *G. Buchan* kept Correspondence with the then Earl of *Arran*, and the Earl of *Hume*; and that the Earl of *Arran* remitted Money to him.

As to *Patrick Grabame*, Sir *J. Macleane* said, he was very low at *St. Germain's*; he believed Cap. *Murray*, who is his Sister's Son, has Communicated to him all *Frazer's* Affair; they went together from *Paris*.

He looked upon Captain *Middleton* as Superannuated; it was one of his Sons who kept the *Bast* for King *James*. He believes him to be very hearty in the Cause of *St. Germain's*.

Capt. *Deane*, and Mr. *David Lindsay*, went off together: Sir *J. Macleane* said, Capt. *Deane* was Governour of my *Ld. Middleton's* Children for about two Years. Sir *J. M.* was present when *Deane* came to take his leave of Sir *Randolph Macdonald*; who ask'd him, What he would do in *Scotland*, he would starve there as well as *St. Germain's*? But Capt. *Deane* made answer, he had a Brother or Relations who might help him.

Deane has no Estate in *Scotland*.

What Orders or Instructions *Deane* had, he believed were from the Earl of *Middleton*. *Deane* was one of the Officers concerned in the Mutiny of *Dumbarton's* Regiment, at the beginning of the Revolution. He has the Reputation of a very good Officer.

Sir *John Macleane* said, *David Lindsay* was the Person most likely to be Intrusted by the Earl of *Middleton*; he came away about the same time with *Frazer*.

He continued in the Secretaries Office till the time that he came away. He had the least pretence of any body for going for *Scotland*, for he had no Estate there; and had a good Salary of 12 or 1400 Livres per Annum for his Office, besides Perquisites.

As to Mrs. *Fox*, Sir *John Macleane* said, She had formerly been a great Friend of the Earl of *Melfort's*, and was lookt upon as one that had all the Secret of his Correspondence in *England*, whose Agent she was.

She lived some times with the Lord Chief-Justice *Herbert*, and the Lady *Philips*, and some others; but they fell out, and parted, upon occasion of my Lord *Melfort*; she endeavouring to sustain his Interest after his Disgrace. Then she lived in a Monastery for some time, and since that, in a Pension at one Mrs. *Conns*.

She told Sir *John Macleane*, she had been piqued at, some ill Usage she had met with from the Lady *Melfort*, and Lady *Perth*; and by making a Friendship with my Lady *Middleton*, she came at last to be intirely Trusted by my Lord and Lady *Middleton*.

She pretended to Sir *John Macleane*, That she came over about Law-Business of her own; but he believes she comes intrusted and employed by the Earl of *Middleton*; she being vain and passionate, he hoped to have got the Matter out of her, but could not do it. But she owed to Sir *John Macleane*, That she was to Return to *France*, when her Business was over; and gave, as a Reason for that pretence, That she could not live where she must see her Husband live with another Woman. She said to Sir *John Macleane*, That they, who were now in the Government here, were not inclined to use any Severity to those who had been under Vexation before.

The Lord *Perth* told Sir *John Maclean*, That the Lord *Middleton* had employed Mrs. *Fox*, to inquire about Sir *John Maclean*'s House where *Frazer* Lodged, to learn what she could of him.

After *Frazer* had been with Lord *Middleton*, he asked Sir *John Maclean* to carry him to Mrs. *Fox*, but he declined it. Thereupon he applied himself to *John Murray*, who brought them together.

Sir *John Maclean* believed, that as soon as the Earl of *Middleton* was acquainted with *Frazer*'s Business, Mrs. *Fox* knew of it.

He said, That Mrs. *Fox*, and the Lady *Maclean*, being warm in Dispute together, Mrs. *Fox* said, in his hearing, We laugh at your *Highland-Projects*; my Lord *Middleton* and I know more Solid Things.

Sir *John Maclean* heard Mrs. *Fox* say, That *Peter Cook* had been sent over to *France*, and was sent back again from thence.

Being ask'd about the Four Lords named in the Paper given into the House by the Earl of *Nottingham*, who are therein mentioned to have a desire to see King *James*:

He said, He was told by divers of King *James*'s Servants, That the Lord *Montrosse* had been at *Fontainebleau* for near a Fortnight together, when King *James* was there.

That the Lord *Perth*, who is Uncle to the Lord *Hay*, told him, He had acquainted King *James*, That the Lord *Hay* desired to see him, but King *James* would not Consent unto it: for it might do them Harm, and would do King *James* no Good.

Sir *John Maclean* saith, He never heard or said, That the Lord *Roxburgh*, or the Lord *Seaton*, desired to see King *James*, nor did he ever see those Two Lords, but at *Paris*, during the Peace: But he heard some of King *James*'s Servants say, That those Two Lords took occasion once to go into the Field upon an Hunting, which they apprehended might be with an intent to see King *James*.

The reason of his naming the Four Lords, was upon a general Question ask'd him by the Earl of *Nottingham*, which of the Lords (amongst a great many that he had named to have been at *Paris*) were thought to be Disposed towards the Court of *St. Germain*s.

The Earl of *Erroll*, Father to the Lord *Hay*, and the Earl of *Wigton*, Father to the Lord *Seaton*, are thought at *St. Germain*s to be well-affected, and so is the Lord *Sinclair*.

Sir *John Maclean* has heard *Buchan* say, He had Correspondence with the Lord *Aberdeen*, when he was in the *Highlands*. The Lord *Aberdeen* is looked upon at *St. Germain*s generally as well-affected to their Interest.

Being asked if he knew that any Liberty had been granted to People to take the Oaths to this Government?

He said, That upon the Capitulation with the *Highlanders* in 1692. when Terms were offered them upon taking the Oath of Allegiance, one Captain *Minnis*, and Sir *George Barclay*, were sent into *France*, to know King *James*'s Mind in that particular. *Minnis* Returned with an Answer, That the King said, He would never Order any body to Swear, but that he left every one to Judge for himself, what he could best do, and to do as they thought fit. *Minnis* Declared, he understood this for a tacit Compliance. He said, He knew nothing of this kind since that time.

Being Examined about the Intercepted Gibberish Letters, he said, There was an Account at *Paris*, from the *Dutch Gazette*, That such Letters had been intercepted; but he affirmed, That he never knew any thing of them, or how to interpret them.

Sir *John Maclean* being asked the meaning of the Paper marked Number V. which was given into the House by the Earl of *Nottingham*, said, It did contain the Names of the Heads of the Clans which *Frazer* named to the *French*-Ministers, as engaged with him, and for whom he would Answer, so far as Sir *John Maclean* could remember them; and the first Numbers put to those Names, are the Numbers *Frazer* gave in as what they would bring into the Service.

The Second Numbers are not of Sir *John Maclean*'s setting down, nor does he know by whom they were set down; nor does he think that Reducement is rightly done.

Sir *John Maclean* said, He saw the Master of *Oliphant* at *Paris*, and look'd upon him to be a Papist, but does not know of what Religion he is. He saw him at *Paris* twice. He told Sir *John Maclean*, He had Directions from his Father to Return to *Scotland*, and intended to go thro' the *French* Army in *Flanders*. He says, That Sir *Alexander Maclean* wrote him word, That the Master of *Oliphant* came down to the Army to pass into *Holland*, and he was Recommended by the Duke of *Berwick* to the *Marschal Villeroy*, to have a Safe-Conduct to go to the Duke of *Marlborough*'s Camp, and he went thither accordingly.

Sir *John Maclean* said, There was no Intimacy between Sir *Alexander Maclean*, and the Master of *Oliphant*; That Sir *Alexander* is a very Prudent and Cautious Man: And Sir *John Maclean* said, He was fully Perswaded, That he would not have used any sort of freedom, in talking of any Secret Design, or any thing he would not have had every body know, to one he was so little acquainted with, or with one of the Master of *Oliphant*'s Character, who by his Indiscreet Talking had like to have brought himself into Trouble, both at *Paris*, and in the Army.

Maclean.

March 11.

The Lady Maclean's Examination.

C.

THE Lady *Maclean* being Examined by the Committee, said, She remembered a Discourse that was between her, and Mrs. *Fox*; and that Mrs. *Fox* said to her, when Sir *John Maclean* was present, We laugh at your *Highland-Projects*, my Lord *Middleton* and I know better things, or to that effect.

She said, That Mrs. *Fox*, in her Discourse, was used to dispise all that could be done in *Scotland*; and to say, That if any thing considerable were done, it must be done in *England*.

Mrs. *Fox* used to say, That she had great Friends here in *England*, and that she feared nothing. She used to say, That King *James* had good Friends in *England*.

My Lady *Maclean* said, Mr. *Frazer* desired her several times, to introduce him to Mrs. *Fox*, but she refused to do it. She said the reason of his desiring it, was, in hopes to be well with the Earl of *Middleton* by her means.

She

She said, She had seen Mrs. Fox several times very familiar with the Countess of Middleton, but she has never seen her with the Earl of Middleton.

The Earl of Perth said, before the Earl of Middleton was acquainted with Frazer's Business, That Mrs. Fox was sent to be a Spy upon Frazer, and to observe what he did: But she says, She believes Mrs. Fox knew of Frazer's Business, before Frazer himself was introduced to her.

The Lady Maclean has heard Mrs. Fox complain of the Lord Melfort's ingratitude to her, tho' she was a great Support to him, by the means of her great Friends in England; and that he had never done any thing for her, in Recommending her to King James, or his Queen. And particularly she mentioned one Passage which Mrs. Fox complained of, That she had given very considerable Intelligence from England to the Lord Melfort, to be laid before King James in her name; and that the Lord Melfort gave an Account of it to King James, without naming her to him; which she took very ill.

The Lady Maclean said, That when they Landed at Folkestone, and were giving in their Names to the Mayor, that Mrs. Fox said, her name was Foscoe, or some such name; and said she was the Lady Maclean's Sister. The Lady Maclean asked, Why she said so, since it was not true? Mrs. Fox said, Then she would say she was Cousin to the Lady Maclean, for she was desirous to pass for one of Scotland, that she might have the Benefit of the Indemnity. The Lady Maclean saying, That it would be inquired into, and the truth found out; Mrs. Fox said, She was afraid to give her right name of Fox, because she had been named in Sir John Fenwick's Business, and she apprehended that would bring her into Trouble.

Mr. Campbell's Examination.

D.

MR. Campbell was Examined several times by the Committee: Being asked, Who were the Persons in the Highlands that he says, in the beginning of his Narrative, Marked N^o II. were not necessary to be named? He answered, That they were several little Gentlemen, of that Country, of the name of Cambron and Macdonald, and that they were not particularly named to him by Frazer.

Being asked, Who Captain Alexander Maclean was, who is mentioned in his Narrative? He said, He was made a Knight in Ireland, and that he is now in the French Army, a Captain in the Irish-Guards.

He said Frazer told him, That the Lord Drummond was engaged in the whole Affair of the Insurrection.

He said, Captain John Murray told him, during the Session of Parliament, That he had seen the Duke of Gordon, and the Earls of Erroll and Marcell; but he could not tell what to make of them, People were so very Cautious of saying any thing, while the Parliament was Sitting.

Being asked the meaning of what is wrote in the Margent of his Narrative, that as to Glengerry's being sent, he Discovered that to be false, he going straight to the North to his own House.

He said, He meant no more, than that he Discovered that he did not go directly from Edinburgh to France, but that he went first into the North; but he knows not where he now is, or has been since he left Edinburgh, nor knows not but that he did go into France.

Mr. Tucker came to him, and said, He was come to add to his Paper, what he had said to the Lords; and thereupon he added that Marginal Note.

Frazer told him, The Lord Cromarty had a Person at Paris, who Corresponded with the Court at St. Germain's, his name was Mackinny, whom he Represented as a Spy to Monsieur De Torcy, and got him put into the Bastille.

Campbell said, He came Post to Town in October last, in Expectation of having a Company, by the favour of the Earl of Cromarty, being Recommended to him by the Earl of Braedablin and Arbuthnot.

Being asked, Who Captain Morbar, that is often Named in his Narrative, was, he said, He meant Captain James Murray, and that he observed the mistake upon the Reading the Narrative, and told the Earl of Nottingham of it. It was the mistake of Mr. Tucker, who wrote his Narrative for him by the Lord's Order; this James Murray is Stanhope's Brother. Frazer told him that James Murray was in the Interest of D. Hamilton, and the D. of Atholl, but he never spoke with him himself.

Being Examined as to Clarke; he said, Clarke himself told him of all Frazer's Designs; and he heard Frazer and Clarke talk together of the whole Affair, and Clarke was lookt upon as a Man fit to be trusted in all things.

He also said, he shew'd the Commission as well as the Picture to Clarke; he says, Frazer told him, that it was Clarke who got the Case of the Picture Engraved for him; Clarke said, The sooner the King comes the better.

He also said, That Keith and Frazer advised together of the whole matter; he found by their Discourse, that Frazer had made Keith acquainted with the Design before he went into Scotland.

It was Frazer told him, That Keith was an Enemy to the Duke of Queensberry.

Campbell said, That as soon as he was Examined about the Pass, he began to suspect Keith; he said, that Frazer trusted Keith entirely.

Being asked, If Frazer knew of Keith's Acquaintance with the D. of Atholl, and if so, how he came to trust him so much: Campbell said, that Frazer did know of Keith's depending upon the D. of Atholl, and that he hoped to be Secretary-Depute by the Dukes means, which Keith told both to himself, and to Frazer; but Keith made Frazer believe, he loved Frazer better than the D. of Atholl, and Frazer thought by his means to know all that Atholl was doing.

Frazer did not only tell Keith of the Highland-Affairs, and of all his Business Abroad; but also told him that the D. of Queensberry was to procure a Pass for him.

Keith's Scheme which he shewed Campbell, wherein Notice was taken of the D. of Marlborough's, and the Lord Treasurer's design to bubble Perth, and Middleton, was written with an intent to prevent that design of theirs.

And therein he said, That he thought the most Effectual Means to do it, was to send the Young King into Scotland.

Keith's Scheme which he shewed Campbell, wherein Notice was taken of the D. of Marlborough's, and the Lord Treasurer's design to bubble Perth, and Middleton, was written with an intent to prevent that design of theirs.

Keith

Keith told *Campbell*, That he shewed *Frazer* the Paper, but *Keith* said, It was not so perfect at that time: But he told *Frazer*, That his Opinion was, that *Frazer* should not enter into the Business of Scotland, unless King *James* came in Person. *Campbell* being asked, Where *Frazer*'s Instructions were? he said, They were left with *Tom. Frazer*, to be shewed up and down in the Highlands; he had seen those Instructions, and that by them, *Frazer* had Power to renew all the Commissions formerly sent by King *James*, when he was in Ireland, to the Highlanders, if he saw occasion.

There was also in them a Promise and Assurance, That the Highlanders should be supported with Men, Arms and Money.

Campbell said, That after he had been Examined about the Pass, he thought it necessary to see *Ferguson*, with whom *Frazer* had advised him to consult on all Occasions, as being very Intelligent, tho' he cautioned him not to trust him too far, because, he said, he knew he had a Pension from St. *Germain*, and he did not know but he might have a Pension from the Court here. Thereupon he spoke to *Clarke* to appoint *Ferguson* to meet him at the *Vine-Tavern* in *Holborn*, in order to advise with him, how he was to Act upon the present Occasion.

Accordingly *Campbell*, *Clarke* and *Ferguson*, met at that Place; and *Ferguson* told *Campbell*, He would certainly be Re-examined and put in Custody, and therefore bid him take Care of himself, for if he was brought to a Tryal, *Ferguson* thought he would be in very great Hazard. *Campbell* understood the meaning of his Discourse to be, that it was adviseable for him to get out of the way. And thereupon he said, He did not apprehend the Danger to be so great as *Ferguson* expressed it.

Ferguson told *Clarke* also, That he would be put into Custody. *Clarke* made answer, That he had a Family, and would abide by it.

Ferguson said, It was discoursed that *Frazer* was gone into France, as a Spy for the Duke of *Queensberry*, and if that was so, *Frazer* would be certainly put into the *Bastile*; and then he proceeded to insinuate to *Campbell*, that it was his wisest way to strike in with the Duke of *Atboll*, for that *Frazer* being a Spy for the Duke of *Queensberry*, and the Duke of *Queensberry* not so well-affected to the Interest of St. *Germain*, as the Duke of *Atboll* was, it would be better for him to join with *Atboll*.

Campbell said, He could not remember his very Words, but that he expressed himself in such a manner, that he found that to be his meaning, and that nothing else could be understood by what he said. He said, The Duke of *Atboll* was more truly Engaged to that Interest they were Engaged in, than the Duke of *Queensberry* was.

Campbell told *Ferguson*, That he was upon too ill Terms with the Duke of *Atboll* to comply with that, and that if the Duke of *Atboll* sent for him, he would not go to him.

Campbell said, *Ferguson*, *Clarke* and he, met at the *Vine* twice, and their Discourse was to the same Effect both times.

Campbell said, That after he had been Examined about the Pass, he met the Lord *Tullibardin*, at the Earl of *Cromarty*'s Office; and the Lord *Tullibardin* told him, His Father desired him to come to speak with him, and that he would forgive *Campbell* for getting *Frazer*'s Pass, because he knew *Frazer* was of kin to him. He thinks this was about the beginning of December; the Duke of *Atboll* afterwards sent a Servant to *Campbell* to desire *Campbell* to come to him, but he declined it.

The Committee shewed *Campbell* the Intercepted Letter, dated 24 Feb. as from *Leige*; he said, It was *Frazer*'s Hand-writing, and that he believed it came from *Paris*, tho' it was mentioned to come from *Leige*.

Colin Campbell.

March 11th, 1704.

MR. *Campbell* being farther Examined as to *Frazer*'s Letter of the 24th Febr. said, That by the Words, My good Friend N. *Frazer* meant Captain *Macleod*, whose Christian Name is *Neill*.

That by To. in the Letter, was intended *Tom. Frazer* his Servant, who is employed in his Business in the Highlands.

Being ask'd, What was meant by the Words in the Letter, You tell me that K. betrayed me to A. and now we hear of his Sufferings for me? He said, The first Part related to the Letter *Campbell* wrote to *Frazer*, wherein he told *Frazer* that *Keith* had betrayed him to the Duke of *Atboll*; and as to the latter Words, that he believed some other Body had sent word to *Frazer*, that *Keith* was in Prison upon his Account, and he could not but wonder, why the same Person did not give him an Account of *Campbell*'s own Imprisonment.

Colin Campbell.

Mr. Keith's Examination.

E.

THE Committee had Mr. *Keith* before them, and acquainted him with the Vote of the House, which passed upon his Refusal to explain his Uncle's Letter; and desired him to be more ingenuous: but he persisted in pretending, that he could not tell the meaning of the dark Expressions in the Letter.

Being desired by the Committee to make a full Discovery of his Knowledge relating to the Conspiracy, and being told, That no one who read his Narrative of the 3d of January, could believe he had been Ingenuous, and also representing to him the danger he was in:

He made answer, That he put all into his Narrative that he knew, and frankly told the Committee That what was against him could amount to no more than Misprision of Treason, and even that was impossible to be proved against him.

He said, About Five Days after he had been Committed to *Newgate*, he proposed that he might be brought before the Lords of the Committee of Council, and he was so; and he desired he might have their Word of Honour, That nothing he should say should be made use of against him: That the Day after he was brought before them again, and was then told, That the Queen had said, That what he discovered should not turn to his Prejudice. He then told the Lords, That a Friend of his, nearly related to him, had given him an Account of the Conspiracy; and that if he had a promise, That that one Person should be secure of his Life, he would make a full Discovery of all that was told him, but that he asked nothing for himself, for he was innocent.

P

He

He said, the next Day he was brought again before the Lords, and was then told they were allowed to let him know, That the Queen promised that the Person should have his Life, and after that promise he gave in his Narrative.

Being ask'd, What he had done towards bringing his Uncle *John Murray* to surrender himself, or procuring him to be taken? he said, He wrote a Letter to his Uncle, advising him to come into *England*, which he shewed to the Earl of *Nottingham*, who gave it him back again; and he said, That afterwards he enclosed that Letter in a Letter to his Mother, and gave it into the Post-house. Being ask'd, If any Body saw what he wrote to his Mother, or if he had any Witnesses, that the Letter was Delivered into the Post-office? he said, No.

Being ask'd, What was the meaning of the Letter he wrote to the Earl of *Nottingham*, dated the 29th of *January*, which denied what he had before owned in his Narrative? he said, He went to the Earl of *Nottingham*, and told him, That he heard he was to be sent for to the House of Lords; and desired of him to know what he was to say to them: That the Earl of *Nottingham* told him, He should know when the Papers were to be laid before the House; and accordingly he had Notice of it; and that the Queen had not thought fit to lay his Narrative before the Lords at that time; and thereupon he wrote that Letter to the Earl of *Nottingham*, being what he said upon his first Examination, as containing all that he could say.

He thought fit to deny to the Committee, that he had received *Frazer's* Letter, directed to *Hill*, from *Clarke's* Hand.

The Committee sent again for Mr. *Keith* to shew him the Intercepted Letter directed to him by the Name of *Smith* at the *Marine Coffee-house*, dated from his own House the 22d of *February*.

He said, The Letter was the Hand-writing of a Brother of Captain *John Murray's*, whose Name is *Robert Murray*; That he lived in *Perth-shire*, about 12 Miles from *Perth*, at an House of his Wife's, call'd *Auchter-Ardow*, but that he had Lodgings in *Edenburgh*, and that he was bred a Lawyer: *Keith* said by his Comrade in the Letter, he understands his Uncle *John Murray* to be meant.

Campbell having told the Committee, That Mr. *Keith* had said to *Frazer*, and also to himself, that he expected to be Secretary-Depute of *Scotland*; The Committee ask'd him about that Matter: and Mr. *Keith* said, That by the Favour of the Duke of *Atboll* he had, about Four or Five Months since, a Promise made to him, That when the Affairs of *Scotland* were Regulated, he should be Employed.

David Lindsay's Examination.

F.

THE Committee had *David Lindsay* twice before them.

He said, He left *St. Germain's* the first of *June*, and took Shipping at *Rotterdam*, and landed at *Leith* in *Scotland*.

He own'd, That he had been Secretary to the Earl of *Middleton*; and that no other Person was in that Employment at the time he left *St. Germain's*.

That his Salary was a 1000 Livers a Year, (besides such small Perquisites as happened) which was Continued till his coming away; and he acknowledged, he was in good Friendship with the Lord *Middleton* to the last.

That he was Intituled to an Estate in *Scotland*, in Right of his Wife, of about 60 l. per Annum; but his Wife's Mother had the One half of it during her Life, and his Wife and Children lived on the Other half: So that he had no part of it returned to him into *France*.

He said, he came to lay hold of the Indemnity, and to see to get an Employment by the Help of his Friends.

He procured Mr. *Stanhope* to write to Mr. Secretary *Hedges*, to know if he might pass through *England* to go to *Scotland*: And Mr. Secretary wrote word he might not.

Being shew'd the Paper brought into the House by the Earl of *Nottingham*, as his Narrative marked N^o IX. and ask'd, How he came to write such a Paper?

He said, He was directed by the Lords of the Committee of the Council, to give an Account of what had passed at *St. Germain's*, from the time of the Death of King *James*, till he left *France*.

Being ask'd, How he came to begin his Narrative with what had passed before the Death of King *James*? He answered, That it was all he had to say, and that there was no fault found with him by the Lords of the Council, for any thing in his Paper. Being shew'd *Frazer's* Commission, which he owned to be Counter-signed by the Earl of *Middleton*, and ask'd, How that could consist with what he had said in his Narrative of the Earl of *Middleton's* opposing all Designs, and particularly that of *Frazer's*? He answered, That he was not acquainted with that Commission.

Being ask'd about the Three Intercepted *Gibberish* Letters, which were sent in a Cover, directed to him: he said, He knew nothing of them, and that there was another Person of his Name; and that if they had come to his Hands, he could not tell to whom they were to be delivered.

He refused absolutely to give the Committee an Account of any other thing whatsoever, that had passed during the time of his being in *France*, or in *Scotland*.

He said he did not know of any Correspondence that was kept by the Lord *Middleton*, either in *Scotland* or in *England*, from the time he went into *France*.

He denied he was sent into *England*, to persuade the Lord *Middleton* to go into *France*.

The Committee being Informed, that a Bill of Indictment was found against *David Lindsay*, they thought fit to send for him again, and acquaint him with it, in order to make him sensible of his Condition: And ask'd him several Questions in relation to his Knowledge of the Conspiracy, and of Correspondence between *France*, and *Scotland* and *England*, and particularly in relation to the *Gibberish* Letters: But he still continued obstinate, and refused to give the Committee any Satisfaction.

Mrs. Fox's Examination.

G.

THE Committee Examined Mrs. Fox twice: She said, she went over into France about 12 Years since, by the Earl of Nottingham's Pass, and had never since been in England.

She was asked several Questions, and Charged in particular with what was said against her by Sir John Maclean, and others; but she behaved her self very obstinately and peremptorily, and refused to answer to any thing Materially.

Thomas Clarke's Examination.

H.

THE Committee had Thomas Clarke before them. He said, The first time he saw Frazer, was in June last: He then lay at the Ipswich-Arms in Cullum-street: He lay there about Ten Days; he sent for Clarke to give him Physick.

In October last, Frazer sent for him to the Harts-Head in Smithfield, and came back with him to Lodge at his House, and staid there about a Fortnight.

The Company that came to him were Keith and Campbell, and Ferguson once.

Campbell gave Clarke a Pass for Frazer, which he carried to him to Gravesend, and had only his Charges born.

He received only one Letter from Frazer, with three Letters inclosed; One for Hill, another for Ferguson, and a third for Campbell.

Keith called for the Letter directed to Hill, which he delivered to him.

Ferguson read Frazer's Letter to Clarke: He sent a Letter from himself, one from Campbell, and another from Ferguson to Frazer.

He acknowledged, that he met Ferguson and Campbell twice at the Vine-Tavern in Holborn, but would not own what was said there.

He owned he saw the Picture taken out of the Box, but denied he saw the Commission.

The Committee asked him several Questions, in relation to what was charged upon him by Campbell, and others; but he obstinately refused to own any thing, nor would make any Discovery of his Knowledge of the Conspiracy.

Mr. Corbushiere's Examination.

I.

THE Committee sent for Mr. Corbushiere: He owned he had seen Frazer about two or three Years since, upon occasion of a Bill of Exchange.

That he saw him again about May or June last, when he Lodged at the Ipswich-Arms in Cullum-street, and was with him several times upon account of Money, and other Business.

That when Frazer returned out of Scotland, he Lodged in Smithfield, where Corbushiere saw him at Clarke's Request.

That afterwards Frazer came to Lodge at Clarke's House, where Corbushiere was several times with him.

He owned he saw Keith with Frazer, before he went to Scotland, in Cullum-street, three or four times; and saw them often together, after Frazer's coming back from Scotland, and that for the most part they Discoursed privately between themselves, but they did not talk before him of any thing relating to the Plot.

Corbushiere would not own, that when he was in their Company, he ever heard them Discourse of Matters relating to any Design in Scotland; but said, His Business with them was only Paying or Returning of Money, and their Talk before him was only on indifferent Subjects.

Captain Meers's Examination.

K.

Captain Meers being Examined, owned himself to be a Papist, and Confessed he came out of France in May last, where he had been for Ten Years: That he came over in the Transport-Ship to Harwich. He telling Captain Gibson, that he intended to take the Benefit of the Act of Indemnity; upon which he immediately took him on Board, without saying any more to him, then, If you will hazard your self, I will carry you over, but I will tell the Earl of Nottingham of it. He said, He only gave Captain Gibson Two or three Louis d'Ors for his Passage.

He said, He was not stop'd at Harwich, and that he Surrendred himself to the Earl of Nottingham, the Day after he came to Town.

He said, He had no Settled Pension in France, but the late King James gave him Money at several times.

He staid in Scotland for some time after the Revolution, but was not Engaged with the Highlanders; he followed King James into France; but being look'd upon as a great Friend of the Lord Melfort, who soon fell into Disgrace, the Earl of Middleton would not suffer him to have any Employment.

He said, He had about a Hundred Crowns given him for his Journey, some short time before he came away.

He saw the Lord Perth about a Week before he came away.

He

He would not own any Knowledge of the Conspiracy, nor that he ever knew of any Design against *England*, unless at the time of the *Calais* Business; and all that he knew of that, was, That one Night, after Supper, King *James* Declared, He was just going to Embark for *England*; and that he was Confident the Government there knew nothing of the Design.

Mr. Patrick Oliphant's Examination.

L.

MR. Patrick Oliphant being Examined said, He turned Protestant before he went into *France*. Being asked why he went to *France*, after he had Changed his Religion? He said, He went thither to see the Country, and to learn his Exercises. Being asked, Why he staid in *France*, after the War was declared? He did give no Account of it.

He owned, That he had been with the Lord *Perth*, and Lord *Middleton*, to desire their Protection; and that he saw the late Queen at *St. Germain's*, and the King there, and Kissed both their Hands; and that he had seen Sir *John Maclean*, and Sir *Alexander Maclean*, at *Paris*, several times; but said, He could remember nothing that had passed between them there, nor that had been done or said in *France* by any Body.

But he pretended to remember a Discourse that he had with Sir *Alexander Maclean*, as he came through the *French* Army, and Referred himself to what is set down in his Deposition, N^o IV. Being asked, What gave occasion for that Discourse between Sir *Alexander Maclean* and him? He said, Nothing at all: But Sir *Alexander Maclean* began with saying, That *Frazer* was a great Rascal, and so was *John Murray*, for they had promised to come through *Flanders*, when they went to *Scotland*; and so he proceeded with the Discourse in the said Deposition.

He said, He Surrendered himself, when he came to *London*, to the Lord *Cromarty*; and that he asked him, if he were concerned in the Plot? And he answered, He was not.

Mr. Ogilby's Examination.

M.

TH E Committee did send for Mr. *Ogilby*, who had been formerly Examined by them; he said, He knew nothing relating to the *Scottish* Conspiracy.

He said, That he went to the Court of *St. Germain's* in *May* last, in order to get a Pass, but it was refused to him; although Passes were granted to the other *Scottish* Officers, at the same time, to go for *Scotland*.

He said, He had several times Reflected on this Refusal; since he has heard of the Plot in *Scotland*, and he could never think of any reason for it, but only, because he was not trusted with that Plot.

He said, He could not add any thing material to what he had owned upon his former Examination, which has been already Reported.

He mentioned to the Committee some things that he was capable of doing for the Queens Service, and which he was willing to undertake; but that not being the proper Business of the Committee, the Committee did not think proper to insert it in their Report, unless the House be pleased to Order it.

Mr. *Ogilby* mentioned again what he had said in his former Examination of one *Mackenzie*, a *Scottish* man, who was sent for by Monsieur *de Torcy*, and forbidden to go to *St. Germain's* any more; but it was Discovered, that he went afterwards privately to *St. Germain's*, whereupon he was Committed to the *Bastille*, where he believed him to be a Prisoner still.

N.

TH E House having been pleased to Order (upon a Motion from the Committee) that *Richard Boucher*, *Jackson*, and Sir *Thomas Stewart*, should be taken into Custody, the Two former have hitherto Absconded, and Sir *Thomas Stewart* was Apprehended Two Days after the Order was Issued; and being brought before the Committee, made great difficulties of saying any thing at first; but afterwards he insisted, that what he should say, should not hurt himself, nor any body he Accused, in Case they Ingenuously owned what he Charged them with; and that he should not be made use of as a Witness, nor his Confession used as Evidence at any Tryal. The Committee told him, They had no Power of themselves to make any Engagement of that sort, but they promised to Represent to the House of Lords what he insisted on.

Sir *Thomas Stewart* told the Committee, He had been acquainted with Major *Boucher* about Twelve Months; with *Ferguson* since the Year 1692. and with *Jackson* for some time.

Sir *Thomas Stewart* said several things to the Committee, concerning *Ferguson*, *Boucher* and *Jackson*, but the Committee did not think it proper to set them down here; because he afterwards Delivered in a Paper of his own drawing, in which he had set down all that he had said before, which he affirmed to be all he knew concerning them; which Paper is annexed, Marked O.

Sir *Thomas Stewart* was very Confident, that if he was Confronted with *Ferguson*, *Ferguson* would own all that he should Charge him with; and on the other hand, if he did not, then Sir *Thomas* said, He would make no farther difficulty of Declaring his Knowledge.

The Lords of the Committee thereupon sent for Mr. *Ferguson*, and Examined him first alone, as to what Correspondence he had with *Frazer*, and others concerned in the Conspiracy.

Ferguson Referred himself to what he had said in his Narratives to the Cabinet-Council.

The Committee told him, They would take no notice of those Narratives, but Expected he should give an Account what Correspondence he kept in *France*; he denied he kept any.

Being asked, if he had not wrote to *Frazer*? he said, *Frazer* was then in *Holland*, not in *France*.

He said, *Clarke*, who brought *Frazer's* Letter to him, would not deliver it to him, nor tell him from whom it came, nor how to Direct an Answer, unless he would first promise to write to the Person, which

which at last he did ; because, as he said, he was desirous to know the manner of the Corresponding, in order to Discover it to the Duke of *Atholl* ; being sensible, that there was some Design against the Queen, or some other Person, on Foot.

He said, As soon as he knew how this Correspondence was, he sent one Mr. *Mason* to the Duke of *Atholl*, with an Account of it.

Ferguson said, He saw *Frazer* but once, and then *Frazer* told him, He had been introduced to *St. Germain* ; but *Ferguson* said, He had forgot by whom.

He said, He saw *Campbell* twice, and advised him to tell all he knew.

Being asked (if he meant the Preservation of the Queen and Government by what he did) why he did not Stop *Frazer*, while he was here ?

He made Answer, It would have signified little, and he did not Suspect him, till he was Conveyed away by a Pass, in a Sham-Name.

Being thereupon told, that he had owned before, That he knew this Pass was obtained for him by a Secretary of State of *Scotland* ; and being thereupon asked, How he came to think ill of *Frazer* upon that Account, or to Suspect the pass was not given by the Privy of the *English* Secretary ?

He only made Answer, That about a Week after *Frazer* was gone, he knew the *English* Secretary was not acquainted with it.

Ferguson affirmed, That *Frazer* never told him of any Commissions he had from *France*, or to *Scotland* ; and that they never had any Discourse together, about Correspondence between *France* and *Scotland*, nor of any Designs of Insurrections in the *Highlands*, or in any other Place : But he pretended that *Frazer* said, That he was under the Protection of the Duke of *Queensberry*, but said nothing of his other Business.

He said, He never had but one Letter from *Frazer*.

Being asked, If he had not seen another Letter, that was intended for him ? he said, He thought he had.

Thereupon the Committee produced a Copy of that Letter Directed to *Ralphson*, and asked him the meaning of the Expression in that Letter, That he must begin his Journey to his *Garison* : he said, He supposed he meant *St. Germain*.

Being asked what was meant by *General* ? he said, He supposed the Prince of *Wales* was meant ; but he never made use of that Expression to *Frazer*.

Being asked what was meant by the Expression, That he would lay *Ferguson's* Demands before them in the most advantageous Terms he could ?

He pretended not to know, unless *Frazer* meant to involve him in a supposed Guilt ; and he thought, That Mens Lives and Liberties did not depend upon Construction and Supposition.

The Committee Reading to him that part of the Letter, wherein *Frazer* took notice of the Advice which *Ferguson* had written to him ; Not to be Transported to particular Resentments in Prejudice of his General's Interest.

He denied he had said any thing in his Letter, that might give occasion for *Frazer* to write to that purpose.

Being asked, If he knew Captain *Meers* ? he said, Yes ; and that he called to see him the Day after he had delivered himself to the Secretary. Being asked, If he did not see him before he Surrendered himself ? (which Sir *Thomas Stewart* had affirmed to the Committee) he said, He could not tell : But he was sure, that if he had, he persuaded him to Surrender himself. He said, *Meers* advised with him, if he could not have the benefit of the Indemnity in *Scotland*, without going thither ; and *Ferguson* told him, He could not.

Being asked, If he had not endeavoured to procure a Pardon for *Clarke* ? (which was also mentioned to the Committee, by Sir *Thomas Stewart* ;) he said, *Clarke* was a poor weak Creature, and, as he believed, did not know the Danger of these things ; and therefore having made use of him to get Light into the Correspondence, he thought it became him to endeavour to get his Pardon. For his part he did not enquire into *Clark's* Principles.

He owned he knew *Jackson* and *Boucher* ; *Jackson* he met at the Coffee-House, *Boucher* was his near Neighbour, but he never talked with them about Business.

Ferguson refusing to own any thing, the Committee sent for Sir *Thomas Stewart* to Confront him, according to his own proposal.

Sir *Thomas*, when called in, put *Ferguson* in mind, that he had said he had been a great Rebel, but never had been a Traytor ; and advised him to persist in that Resolution in respect to the Queen, by telling the Lords his Knowledge.

Sir *Thomas Stewart* then said to the Effect of what is set down in his Paper, relating to Sir *John Maclean's* Letter, to Sir *Aeneas Macferison*, and what *Ferguson* had said thereupon, as to the giving notice of it at *St. Germain*.

Ferguson at first said, He remembered nothing of it ; afterwards he said, He might perhaps say, That it was likely care would be taken to give Notice of it at *St. Germain*.

Ferguson owned, He believed he might tell Sir *Thomas Stewart*, that he had procured Letters of *Frazers* to be taken, and that he had informed the Lord *Nottingham*, where Papers were Lodged, and that by his means those Papers were seized.

He said, He believed he might tell Sir *Thomas Stewart*, that it was odd to let *Frazer* go about with a Commission from King *James* in one hand, and the first Minister's pass in the other ; so that he made use of the Pass to carry him from one place to another, in order to make use of the Commission to inveigle People.

Upon this Sir *Thomas Stewart* fell into great Compliments to *Ferguson*, in order to prevail with him to be ingenuous : He put *Ferguson* in mind of his having often said, That if King *James* came back, he would put a Rope about his Neck, and fall down at his Feet to ask his Pardon, and advised him now that they two should joyn, and both together fall down in the same manner at the Queens Feet, and beg her Pardon, and deserve it by an ingenuous Confession ; but *Ferguson* being too obstinate to be prevailed upon, and Sir *Thomas Stewart* only proceeding in the same way, and declining to go on to say farther what he knew of *Ferguson*, which he had before told the Committee, he would say to his face : The Committee sent them both away, requiring Sir *Thomas Stewart* to set down in Writing what he had more to say, relating to the Conspiracy, which he afterwards did, and is contained in the Paper following, marked O.

Sir Thomas Stewart's Paper.

O.

I Do Affirm, That Mr. Robert Ferguson does know, that Mr. Frazer did make such Interest with the Pope's Nuncio in France, or by some others at the Court of St. Germain's, in concert with the Nuncio, as to get himself recommended, and introduced to the French King and his Court; and that the Nuncio by himself or in concert, as aforesaid, did prevail with the King to order one or other of his Ministers, or some other about his Court, to cause to be given to Frazer 3000 Livres or Louis d'Ors, which of the two, I do not remember; and that afterwards, it was agreed between the two Courts of Versailles and St. Germain's, by intervention of the Nuncio, and some others of the Court of St. Germain's, that Frazer alone, or some others in Conjunction with him, should be intrusted with Commissions, Credentials, Instructions, or with some such-like Power and Authority to go into Scotland, and feel the pulse of that Kingdom, how they are inclined and disposed towards joining what Forces they could, with such Troops and Forces as the French King should send thither, with all sorts of necessary Warlike Stores and Ammunitions; and from thence to Return, and make Report to the French King and the Court of St. Germain's, betwixt and such a limited time, or as soon as he could, of the Success of that his Negotiation; and that pursuant to those measures concerted between the two Courts. Mr. Ferguson does know, that Frazer did repair into Scotland last Summer, and went into the Highlands through Argyleshire, as I suppose he has heard, and there did use his utmost Endeavours, to Meet and Converse with such of the Heads, and Chiefs of the respective Clans, and whom other he could get there to engage, conformable to the Commissions, Credentials, Instructions, or some such-like Power and Authority Frazer had from the Court of France: And I do vouch that the said Mr. Ferguson does know, that Frazer returned from Scotland into London about the beginning of last Winter, and that he did Meet and Converse with the said Frazer some Weeks, or thereabouts, before his Departure from hence; and that Frazer did tell the said Mr. Ferguson, what is but now mentioned, at least the substance of it. And I do say, that Mr. Ferguson did ask Frazer, how he durst venture to go into Scotland, where he stands Convicted of heinous Crimes, and that a Commission of Fire and Sword (as it runs in the Style of that Kingdom) was issued to Apprehend and Seize him dead or alive; and that on account of these odious Crimes, he had made himself justly obnoxious to the utmost resentment of several great Men there, and to that of their Friends and Families: Whereunto Frazer answered, That he had as many great Men, and Families in Scotland, who would stand his Friends, as those who were his Enemies; and that Mr. Ferguson knows, that in some short time afterward, it was talked about the Town, that Frazer had procured a Pass or Passes, for going beyond Sea, by the way of Holland, under feigned Names, for himself, and some others; particularly, for one that went by the Name of Major Monroe (who, as it was said, did come from France with him) as also for a Brother and Servant of Frazer's; under Covert of which Pass or Passes, Mr. Ferguson knows, that Frazer and his Companions, went accordingly into Holland in their way to France, to make Report to the two Courts, what Success he had met with in Scotland, and especially in the Highlands thereof; and that Mr. Frazer has writ several Letters from Holland hither, under false Names, and I suppose Mr. Ferguson knows to whom some of those were Directed and Addressed. And I affirm, that Mr. Ferguson did Regret, that the Court of St. Germain's, or any Person there, should have had any hand in reposing such a Trust in so ill a Man as Frazer; and when it was suggested to him, that such a treacherous Conduct should be made known to the Courts of France, he answered, That Care would be taken for so doing, or words to this Effect and Purpose; the greatest part of all which, in Substance, I believe Mr. Ferguson does know.

T. Stewart.

IN the Months of November, December, January and February in the Years 1702. and 1703. last past, I did see and hear Sir Aeneas Macferfon, read several Letters, at divers times in that Quarter of Lincoln's-Inn next to Chancery-Lane, and in Spring-Garden, or near to it, which he said came from Sir John Maclean, who was then at St. Germain's in France, as Sir Aeneas told me; in several of which Letters Sir John writes to Sir Aeneas with utmost and repeated Earnestness, that he would employ all the Interest he had here, to obtain Licence of the Queen, for him to come over into England; and that in divers of these Letters, that Sir Aeneas read in my Hearing, were Sentences or Expressions to the following Effect and Purpose, That those there (viz. at St. Germain's) were now come to that seeming Resolution, as to pretend to put little or no Value upon Scotland, or the People thereof, for they made account to do their Business otherwise. I do not think or remember that England was so much as hinted in any of these Letters. There were likewise contained in several of them, Sentences and Expressions in Irish and the Highland Language, as Sir Aeneas did affirm to me; upon which I told him, I did not understand that Language, whereunto he made no Answer; nor did I in the least desire him to explain the meaning thereof. And I do affirm, That Sir Aeneas has a just and true Copy of what I wrote to Sir John, about the beginning of the last Spring, which he read in my hearing: In some few Days after, I delivered him the Principal, which was sent to Sir John, as Sir Aeneas told me. This is the Substance, to the best of my Memory and Knowledge, of what Sir Aeneas said to me was contained in the aforesaid Letters, and it being told to Mr. Robert Ferguson the Substance of what is above-recited, as to the Contents of these Letters, and how hurtful they might prove to the Interest of St. Germain's, it was insinuated to the said Mr. Ferguson, That Advice thereof might be sent thither, but with great Caution, that Sir John Maclean might not be brought to suffer thereby at the Court, he being the best able to explain and give the true meaning of what he wrote, and that without Prejudice to himself, whom I believe to be a Man of Honour and Probity: and Mr. Ferguson did answer, That Notice accordingly should be sent thither, or Words to that effect. And did not I think that the Errand and Business that Frazer and his Companions were sent into Scotland about, some time afterwards, had not then been hatching, I had made little or no mention of what is above-recited, touching Sir John Maclean and Sir Aeneas Macferfon.

T. Stewart.

Major

Major Boucher and I, were walking in that part of *St. James's Park*, called the *Short-Walk*, in the Months of *July* or *August* last, or thereabouts, we fell to talk about the Proceedings of the Parliament in *Scotland*, that was then sitting, and particularly of the Heats and Animosities which were about that time come to a great height among the Members thereof; Mr. Boucher did say, That if those Persons who were upon their way thitherwards, were arrived at *Edinburgh*, we should hear of other kind of doings there. In a little time after he went off towards *Spring-Garden*, nor did I ask him then, or any time after, to explain himself, as not being my way with any Body that I converse with, except I believe my self particularly concerned; but I do suppose he meant, by that his Expression, the Emisaries or Agents that were on their way from *France* to *Scotland*, and particularly of *Frazer* and his Companions. Mr. Boucher and I met by Chance several times both before and afterwards near to *Grays-Inn-Walks*, on the North-side thereof, and we fell to discourse divers times, amongst other Stories, about the Stag-hunting, that was frequently and warmly talked of about the Town; and from several remarks and circumstances, I had reason to imagine that he had the same Notion thereof, as many others, as well as my self at that time had, which was a Rising of the *Highlanders* in Arms. And afterwards upon the breaking out of the Noise of that which is called the *Scottish Plot*, we discoursed several times about many of the Circumstances thereof, and particularly, of what Mr. *Frazer's* part was in it, as to which he spoke his mind very doubtfully, whether he thought it a Real or a Sham-Plot: but, said he, be in it what will, *Frazer's* Conduct therein was Villainous; that Care would be taken to send Notice thereof to *France*, where he did not doubt but he would be punished according to his Desert. This is the Substance of what passed between him and me upon the Matters aforesaid, and the Truth, according to my best Memory and Knowledge, of the Meaning and Purport thereof.

T. Stewart.

— *Jackson*, Esq; and I have had several Meetings and Conversations near to *Grays-Inn*, and *Red-Lion-Square*, in the Months of *November* and *December* last, or thereabout; at one of which, as we were walking along *Grays-Inn-Lane*, he told me, That the Secretary of State to the *French King* for Foreign Affairs, had sent a Messenger into *London* much about that time; and said, He did not go into *Scotland*, nor stayed here above about eight Days. And I told him, That it would not have been very safe for him to go to *Scotland*, or to have stay'd much longer here. The Noise of the *Scottish Plot* being then so warm, I did not ask, Who he was, or about what he came; nor did I ask any Questions on the Matter, for the Reasons as above; and so we parted within *Gray's-Inn-Gate* that leads into *Gray's-Inn-Lane*; and afterwards, he and I met casually about the latter End of *February* last, and went towards *Red-Lion-Square*, and took some Turns in a Little Street, on the North-West Corner thereof, and fell to discourse about the Inconveniences and Misfortunes that accrue to both King and People, when they are of different Religions: and particularly I argued with him about the Irreconcilable Contrarieties and Inconsistencies that were betwixt a Popish King and a Protestant People; and we reasoned together a pretty while on that Subject. To conclude our Discourse, said he, The young Prince at *St. Germain's* is their King, and will be so in spite of all his Enemies; and did express it without Heat or Passion; and so we parted. And at divers other occasions we met, alway near the same Places, and fell a talking what People said of the *Scottish Plot*, the Noise of which had broke out but little time before; he was very modest as to his Opinion about it, but said, What-ever be in it, whether it be a Sham or a Real Plot, *Frazer's* Part therein was Treacherous; and if he goes into *France*, as according to Report he is on his Way thither, having obtained Passes for that End, he might certainly expect to be treated accordingly; and that if he was not of *Scotland* or *England*, but a Subject of *France*, he would undoubtedly have been broke upon the Wheel, if he goes thither; but as he is, he may expect at best to be Prisoner for Life; for Notice was sent thither before him, of his Villainous Behaviour.

This is the Sum, Substance and Effect of what passed betwixt *Jackson*, Esq; and me, of or concerning the aforesaid Matters, to the best of my Memory and Knowledge.

T. Stewart.

After the foregoing Paper had been read over in Sir *Thomas Stewart's* Presence, the Committee asked him, Upon what Ground it was that he said in his Paper, that *Ferguson* knew all that he had said of him therein? Sir *Thomas Stewart* made answer, That he had owned it all in his hearing.

Mr. *Mackenzie's* Information being referred to the Committee, they thought themselves obliged to send for him: But upon his Examination, he said nothing material, but referred himself to his Affidavit, and to his Answers to the Interrogatories put to him by the Earl of *Nottingham*.

The House being pleased, on the 7th Day of *March*, to Order the Papers about the Lord *Belhaven*, to be delivered to the Committee, they take leave to Observe, That the two Papers are not the Originals, and that it does not appear by whom the same were given in to Mr. Secretary *Hedges*, nor whether the same were given in upon Oath. The Committee are of Opinion, That there are Matters of great weight contained in them; but the Papers themselves being before the House, the Committee think it unnecessary to say any more concerning them.

But the Committee thought it proper to send for Sir *John Maclean*, and Examine him as to the Persons mentioned in the said Information.

He said, He could say nothing as to the Lord *Belhaven*, but that he was at *Paris*, during the Peace, and left *France* about the time the War was Declared.

He said, He knew Doctor *Gordon*, Bishop of *Galloway*, very well; he believed he went over into *France* about the time of the Revolution, and continued there all along till about a Year and a Half ago, when he pretended to go for *Italy*; and it was said afterwards, that he was in *Italy*: and he did not hear that he came back to *St. Germain's*, but he could not tell of his own Knowledge, whither he went, or where he is, or has been.

He said, He knew Two *Levingstons*, the one called *Cassius*, a Captain in *Dumbarton's* Regiment, whom Sir *John Maclean* said he saw at *Paris*, some short time before he came away from thence; and the other a Captain of Dragoons, who came over into *England*; but he does not certainly know when, but believes it to be before the Granting of the Indemnity.

He knew Mr. *Robinson* of *Struan*, who obtained a Licence to come into *England* about a Year since, which he has heard was procured for him by the Lord *Portmore*.

The

The Committee Observes, That by the Examinations of Mr. *George Bruce*, and Mr. *George Graham*, & also by Mr. *Ellis*, it appears, That Mr. *John Levingston*, named in the above-mentioned Information, was in the Custody of *Hopkins* the Messenger; but there is no Examination of Mr. *Levingston*'s transmitted to the Committee, nor does it appear to the Committee, that he was ever Examined, or what is become of him.

The Committee, in pursuance of the Power given to them by the House, proceeded to Treat about the Explanation of the *Gibberish Letters*, and they have attained to the Knowledge of the greatest part of what is contained in them, but not to the Knowledge of the Persons to whom they are directed, nor of the Persons named in them.

The Committee, according to their Duty, and the Direction of the House, have Attended upon the Queen, and have laid before Her Majesty such Explanation of the *Gibberish Letters*, as they have been able to attain to the Knowledge of.

The Committee have also prevailed so far at last, as to gain a Consent, to Lay the General Account of the Substance of the Letters before the House, so as in all other Points, the Terms insisted on before be strictly Observed.

The Committee are ready to Lay that General Account before the House, if the House think fit.

The Substance of the Gibberish Letters, as Explai'd, is as follows, viz.

June the 1st. 1703.

THE Letter to Lord 3. appears to be writ to a Person of great Quality in *Scotland*, in answer to some Demands made by him; in which the Writer gives an Account, That he had laid those Demands before Monsieur *de Torcy*, who had acquainted the *French King* therewith; and that it was (after some Difficulties) agreed to, that not only Men and Arms should be sent to them, but also the Sums of Money demanded; which if complied with, he expresses himself as sure of Success. He gives also Directions, that the Forts should be well Surveyed and Fathom'd, and presses to have a speedy Answer.

June the 1st. 1703.

THE Letter to Lord 7. seems to be writ by a Person of great Consideration in *France*, to some Man of Quality and Interest in *Scotland*: It takes notice, that the Measures between *France* and *Scotland*, were then fully Adjusted, which nothing but want of Unanimity amongst themselves, could frustrate. It advises what is to be Avoided, and what to be Insisted on, in the Parliament then Sitting; and takes notice, that the Conjunction with *Bavaria*, will put the *French* into a Condition of bringing the *Dutch* to Terms, and of assisting *Scotland*.

June the 1st. 1703.

THE Letter to *Philothous*, appears to be writ to a Person of great Quality and Interest in *Scotland*; in whom the Writer hath an intire Confidence. It complains, That some great Men, who have not always been in the Interest, insist upon Ingrossing too much to themselves, to the Prejudice of others, who have been always faithful: That they ought not to think of Playing the Old Game again, as at the Treaty of *Breda*, since the young King is in much better Circumstances than King *Charles* the Second was at that time; and is not now to be imposed upon, and tyed up from Rewarding his Antient Friends. It likewise desires, That the Person who is writ to, would make use of his Interest and Power, with that sort of People, to make them sensible that it will be well, if after a Reconciliation, they are put upon an equal foot, with those who never did fall.

Octob. 8^o. 1703.

THE Letter from *Philarchus* is dated from *London*, and writ to the Queen in *France*: It gives an Account of having (according to Order) treated with some great Person, who seem'd shy at first, but afterwards promised, when the King should appear with a Strength, to do all in his power; but that, as to the particular Service desired of him, he could not promise it, because it might not be in his power to perform it; that he would not give any thing under his Hand, nor make any Terms for himself.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the Report made this Day from the Lords-Committees, appointed to Consider of the *Scottish Conspiracy*, shall be taken into Consideration on *Wednesday* next at Twelve a Clock, and all the Lords Summoned to attend.

Dio Mercurii, 22 Martii, 1703.

The House (pursuant to Order) took into Consideration, the Report from the Lords-Committees appointed to Examine into the *Scottish Conspiracy*.

And after Debate thereupon, the House came to the Resolutions following, viz.

Resolved, by the Lords Spiritual and Temporal in Parliament Assembled, That it doth appear to this House, that there hath been a Dangerous Conspiracy carried on, for the Raising a Rebellion in *Scotland*, and Invading that Kingdom with a *French Power*, in order to the Subverting of Her Majesties Government, both in *England* and *Scotland*, and the Bringing in the Pretended Prince of *Wales*.

That it is the Opinion of this House, That nothing hath given so much Encouragement to this Conspiracy, as that the immediate Succession to the Crown of *Scotland*, after Her Present Majesty, and the Heirs of Her Body, is not declared to be in the Princess *Sophia*, and the Heirs of Her Body, being Protestants.

That the Queen will be pleased to use Her Endeavours by such Methods, as She shall think most proper, to have the Succession of the Crown of *Scotland*, declared to be settled on the Princess *Sophia*; and to take such Measures as may best Conduce to the Disappointing and Frustrating the Designs of Her Enemies, who are engaged in this Conspiracy against Her Majesty and Her Government.

That Her Majesty be assured, That when Her Endeavours shall take Effect, for settling of the Succession, this House will do all in their Power, to promote an Entire Union between the Two Kingdoms, for their Mutual Security and Advantage.

Then

Then Lords-Committees were appointed to draw-up an Address to Her Majesty, upon the Resolutions agreed on this Day, and Report to the House.

It is Resolved, by the Lords Spiritual and Temporal in Parliament Assembled, That the Thanks of this House shall be, and are hereby given to the Lords-Committees (who were appointed to take into Examination the *Scottish* Conspiracy) for their having discharged the Trust in them reposed, with great Exactness, Care and Fidelity.

Hereupon the Lord-Keeper, by Order, gave their Lordships the Thanks of this House, for their Exactness, Care and Fidelity in the said Examination.

Ordered, That the farther Consideration of the Report from the Lords-Committees, appointed to Consider of the *Scottish* Conspiracy, and the Matters relating thereunto, shall be Adjourn'd to Friday next.

Die Veneris, 24 Martii, 1703.

The Order being Read, for taking into farther Consideration the Report from the Lords-Committees, appointed to Examine into the *Scottish* Conspiracy, and the Papers and Matters relating thereunto.

And it being Propos'd to Address to Her Majesty, for a Pardon to Sir John Maclean, and Debate thereupon :

The House came to the following Resolution, viz.

That Sir John Maclean having made an ingenuous Confession to the Lords-Committees, appointed to Examine into the *Scottish* Conspiracy; this House doth therefore humbly Address to Her Majesty, to give Sir John Maclean as full and compleat a Pardon, as may consist with the Safety of Her Majesty and Her People, and to provide for his Subsistence.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the Order of this House of the 22d. of February last, for the close Confinement of Sir John Maclean, now in the Tower of London, shall be, and is hereby Discharged.

Then the House went into Debate upon Sir John Maclean's first Narrative, made by him to the Earl of Nottingham, and presented to the Queen, the Cabinet-Council, and this House, by the said Earl, at Her Majesties Command.

And after long Debate thereupon, and several Questions propos'd relating thereto ;

This Question was Stated, viz.

That that part of the Narrative, relating to Sir John Maclean, and the Papers relating to his Examination, taken by the Earl of Nottingham, and laid before the Queen, the Cabinet-Council, and this House, are Imperfect ; then this previous Question was put, Whether this Question shall be now put ?

It was Resolved in the Negative.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the farther Consideration of the Papers and Matters relating to the *Scottish* Conspiracy, shall be Adjourn'd till to Morrow, and all the Lords Summoned to Attend.

Die Sabbati, 25 Martii, 1704.

The Order being read, for taking into further Consideration the Papers and Matters relating to the *Scottish* Conspiracy ; And,

Mr. Robert Ferguson's first Narrative, Dated 24 Decemb. 1703. and also his second Narrative, Dated 27 Decemb. 1703. being read :

The House thereupon declared as follows, viz.

It is Resolved and Declared, by the Lords Spiritual and Temporal in Parliament Assembled, That Mr. Robert Ferguson's Two Papers now read, Dated 24th and 27th December, and by him deliver'd to the Cabinet-Council, are False, Scandalous and Seditious, contriv'd to Stifle the Conspiracy, tending to Create an ill Opinion in Her Majesty of Her good Subjects, and to Promote the Interest of the Pretended Prince of Wales.

Then the House taking Notice of Mr. Ferguson's said Papers or Narratives writ by his own Hand, and he not as yet Censured for them,

After long Debate thereupon,

The following Question was stated, viz.

That the not-passing a Censure on the Author of the said Papers, nor ordering him to be taken into Custody, nor Prosecuted for the same, before they were laid before this House, is a great Encouragement to Her Majesties Enemies, and of dangerous Consequence to the Government, and the Protestant Succession, as Established by Law.

Then the Previous Question was put, Whether this Question shall be now put ?

It was Resolved in the Affirmative

Then the Main Question was put, That the not-passing a Censure on the Author of the said Papers, nor ordering him to be taken into Custody, nor Prosecuted for the same, before they were laid before this House, is a great Encouragement to Her Majesties Enemies, and of dangerous Consequence to the Government, and the Protestant Succession, as Established by Law ?

It was Resolved in the Affirmative.

Resolved, by the Lords Spiritual and Temporal in Parliament Assembled, That the not-passing a Censure upon Mr. Robert Ferguson's Two Papers, Dated 24th and 27th Decemb. 1703. which were by him Delivered to the Cabinet-Council, nor ordering him to be taken into Custody, nor Prosecuted for the same, before they were laid before this House, is a great Encouragement to Her Majesties Enemies, and of dangerous Consequence to the Government, and the Protestant Succession, as Established by Law.

The House having this Day read Mr. Robert Ferguson's Two Narratives or Papers, Dated the 24th and 27th of December, and deliver'd by him to the Cabinet-Council, which are Declared by this House to be False, Scandalous and Seditious, contriv'd to Stifle the *Scottish* Conspiracy, tending to Create an ill Opinion in Her Majesty of Her good Subjects, and to Promote the Interest of the Pretended Prince of Wales : It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That Sir Edward Northey, Her Majesties Attorney-General, do forthwith Prosecute the said Robert Ferguson for the same, with the utmost Severity, according to Law.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That Mr. *Robert Ferguson* shall be, and he is hereby committed to the Prison of *Newgate*, for Treasonable and Seditious Practices, there to be kept in Safe Custody, until he shall be delivered by due Course of Law. And this shall be a sufficient Warrant on that behalf.

To the Keeper of the Prison of Newgate, his Deputy and Deputies, and every of them.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the Gentleman-Usher of the Black-Rod, attending this House, his Deputy or Deputies, in whose Custody Mr. *Robert Ferguson* now is, do forthwith carry the said *Robert Ferguson* to the Prison of *Newgate*, there to be kept in Safe Custody, until he shall be delivered by due Course of Law. And this shall be a sufficient Warrant on that behalf.

To the Gentleman-Usher of the Black-Rod, attending this House, his Deputy and Deputies, and every of them.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That Sir *Thomas Stewart*, now in the Custody of the Gentleman-Usher of the Black-Rod, attending this House, his Deputy or Deputies, shall be, and he is hereby Discharged. And this shall be a sufficient Warrant on that behalf.

To the Gentleman-Usher of the Black-Rod, attending this House, his Deputy and Deputies, and every of them.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the farther Consideration of the Papers and Matters relating to the *Scottish* Conspiracy, shall be Adjourn'd till Monday next at Twelve a Clock.

Die Luna, 27 Martii, 1704.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the Matters and Papers relating to the *Scottish* Conspiracy, shall be farther Considered on Wednesday next at Twelve a Clock.

Die Mercurii, 29 Martii, 1704.

After Consideration had this Day, of the Matters and Papers relating to the *Scottish* Conspiracy, these following Orders were made.

Whereas Mrs. *Frances Fox*, having gone into *France*, did, since the Commencement of Her now Majesties Reign, Return from thence into *England*, without Licence of Her Majesty under the Privy-Seal, whereby she has Incurred the Crime of High-Treason, committed contrary to the Statute in that behalf made and provided: It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the said Mrs. *Frances Fox* shall be, and is hereby Committed Prisoner to the Prison of *Newgate*, there to remain until she shall be Delivered by due Course of Law: And this shall be a sufficient Warrant on that behalf.

To the Keeper of Newgate, his Deputy and Deputies, and every of them.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That Her Majesties Attorney-General do forthwith Prosecute Mrs. *Frances Fox*, for that she having gone into *France*, and did, since the Commencement of Her Majesties Reign, Return from thence into *England*, without Licence of Her Majesty under the Privy-Seal, whereby she has incurred the Crime of High-Treason, committed contrary to the Statute on that behalf made and provided.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the Gentleman-Usher of the Black-Rod, attending this House, his Deputy and Deputies, in whose Custody Mrs. *Frances Fox* now is, do forthwith Carry the said Mrs. *Frances Fox* to the Prison of *Newgate*, there to remain until she shall be Delivered by due Course of Law.

Whereas Mr. *Colin Campbell*, by Order of the Two and twentieth of *February* last, stands Committed to the Gentleman-Usher of the Black-Rod, attending this House, his Deputy or Deputies, in whose Custody he now is: It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the said Gentleman-Usher, or his Deputy or Deputies, do forthwith Deliver the said *Colin Campbell* into the same Custody from which he received him.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That Her Majesties Attorney-General do forthwith Prosecute Captain *Meers*, and Mr. *Thomas Clarke*, so far as by Law he can.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the Report made by the Lords-Committees appointed to Consider of the *Scottish* Conspiracy the Twentieth Instant, shall be, by the said Lords-Committees, laid before Her Majesty.

The Duke of *Bolton* Reported, from the Lords-Committees appointed to Draw up an Address, to be Presented to Her Majesty, upon the Resolutions Agreed to the Twenty second Instant, an Address, as follows:

WE Your Majesties most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament Assembled, Humbly beg leave to acquaint Your Majesty, That as soon as all the Papers Relating to the Conspiracy in Scotland, were by Your Majesties Command laid before the House, according to our Duty, and with that Zeal which we have always shewn, where the Safety of Your Person, and the Security of Your People may be Concern'd; We applied our selves to Search into the Designs of Your Enemies, as well by a Careful Perusal and Consideration of the Papers, as by Appointing a Committee to Examine the Persons who had been taken into Custody upon Account of the Conspiracy, and others from whom it might be reasonably supposed any Light might be gained towards the Discovery; And the Committee having made their Report to the House, upon Mature Deliberation of the whole Matter, we came to this Unanimous Resolution:

" That it did appear to us, there has been a Dangerous Conspiracy Carried on for the Raifing a Rebellion in Scotland, and Invading that Kingdom with a French Power, in order to the Subverting of Your Majesties Government both in England and Scotland, and the Bringing in the Pretended Prince of Wales.

We do also Humbly take Leave to offer to Your Majesty, as our Concurrent Opinion, That nothing has given so much Encouragement to Your Enemies at Home and Abroad to enter into this Detestable Conspiracy, as, That after Your Majesty, and the Heirs of Your Body, the immediate Succession to the Crown of Scotland is not Declared to be in the Princefs Sophia, and the Heirs of Her Body, being Protestants.

Most Gracious Sovereign,

We being fully Convinced of this Important Truth, most humbly Beseech Your Majesty, in regard to the Safety of Your Own Royal Person, the Quiet of Your Reign, and the present and future Happiness and Peace of Your People, to use Your Royal Endeavours, by all such Methods as Your Majesty in Your Wisdom shall Judge most Proper, to have the Succession of the Crown of Scotland Declared to be Settled upon the Princefs Sophia, and the Heirs of Her Body, being Protestants: And we do also humbly Beseech Your Majesty, to take all other Measures, which may best and most effectually Conduce to the Disappointing and Frustrating the Designs of Your Enemies, and of such of Your Traiterous Subjects as are Engaged with them, in this Dangerous Conspiracy against Your Majesty, for the utter Subversion of Your Government. And we do most Heartily and Unanimously Assure Your Majesty, That when Your Wise Endeavours for the Settling the Succession in Scotland shall have taken the desired Effect, We will do all in our Power to Promote an Entire and Compleat Union between the Two Kingdoms of England and Scotland, for their Mutual Security and Advantage.

Ordered, That the whole House do Attend Her Majesty with the said Address.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, That the Lords, with White-Staves, do Attend Her Majesty, Humbly to know what time Her Majesty will be Pleased to Appoint for this House to Attend Her, with the Address Agreed to this Day.

Die Jovis, 30 Martii, 1704.

The Lord-Chamberlain acquainted the House, That he had Attended Her Majesty, to know what time Her Majesty will be Pleased to Appoint for this House to Attend Her with the Address, Agreed to yesterday, and that Her Majesty has Appointed to morrow at One of the Clock for this House to Attend Her with the Address.

Die Veneris, 31 Martii, 1704.

The Lord-Keeper Reported Her Majesties Answer to the Address, as follows:

My LORDS,

I *Have some time since Declared My Intentions of Endeavouring the Settlement of the Protestant Succession in Scotland, to my Servants of that Kingdom, as the most Effectual Means for Securing their Quiet and Our Own, and the Readiest Way to an Entire Union betwixt both Kingdoms, in the Perfecting of which, it is very desirable no time should be lost.*

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